

APPLICATION ACCEPTED: November 19, 2012
PLANNING COMMISSION: February 21, 2013
BOARD OF SUPERVISORS: Not yet scheduled

County of Fairfax, Virginia

February 7, 2013

STAFF REPORT

APPLICATION RZ 2012-LE-021

LEE DISTRICT

APPLICANT:	Clifford F. Lindsay, Trustee
PRESENT ZONING:	PDH-2 (Planned Development Housing 2 du/ac)
REQUESTED ZONING:	R-1 (Residential 1 du/ac)
PARCELS:	90-3 ((3)) 6, 7, and 8
SITE AREA:	4.13 acres
PLAN MAP:	Residential, 1 – 2 du/ac
PROPOSAL:	To rezone from the PDH-2 District to the R-1 District without proffers.

STAFF RECOMMENDATIONS:

Staff recommends approval of RZ 2012-LE-021.

It should be noted that it is not the intent of the staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

Megan Brady

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.

O:\mbrad9\RZ\RZ 2012-LE-021 Clifford F Lindsay\Staff Report\Cover\RZ 2012-LE-021_Staff Report cover.doc



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Rezoning Application

RZ 2012-LE-021



Applicant:

CLIFFORD F. LINDSAY, TRUSTEE

Accepted:

11/19/2012

Proposed:

RESIDENTIAL

Area:

4.13 AC OF LAND; DISTRICT - LEE;
ZIP - 22150

Located:

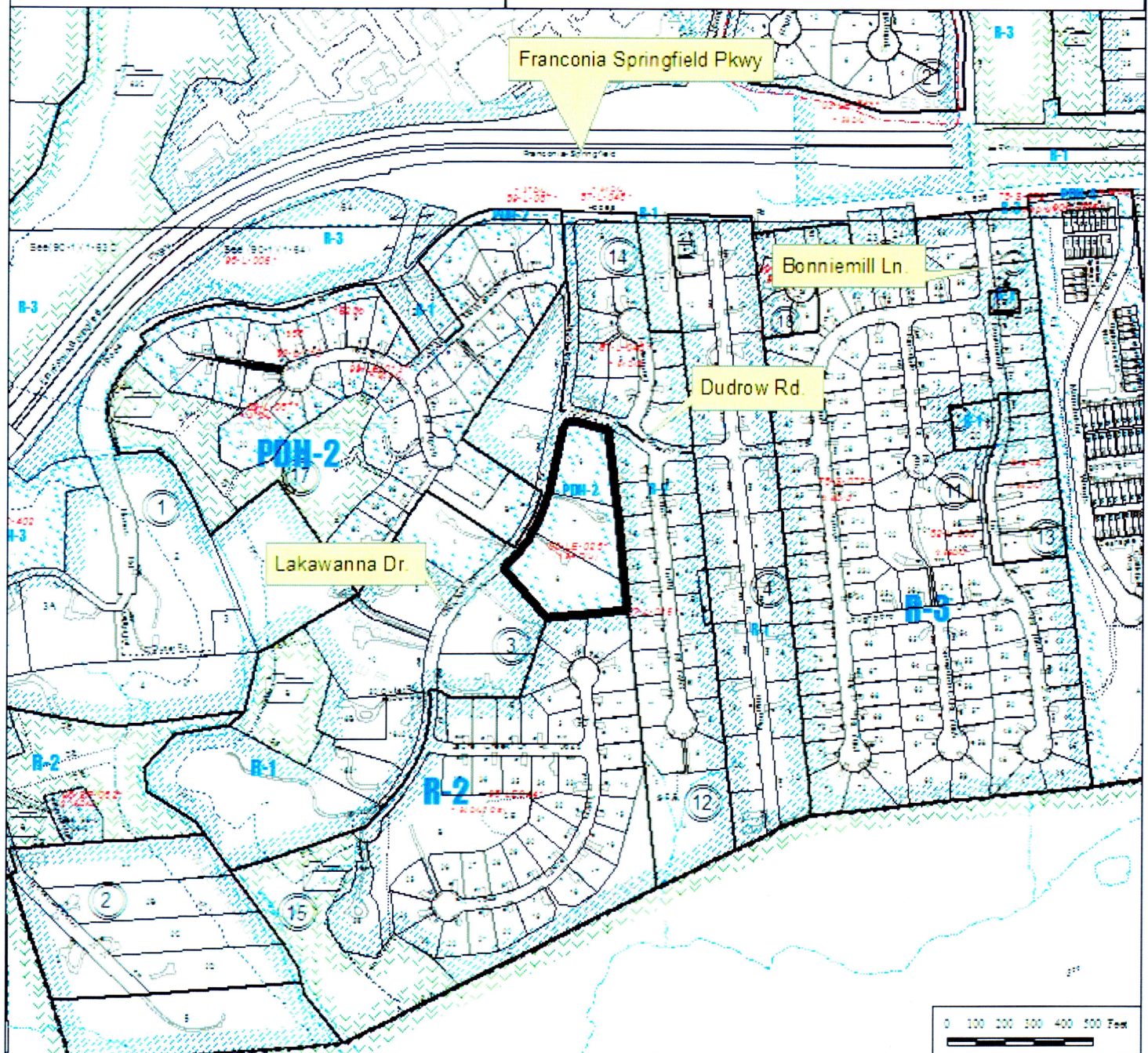
7201, 7209 AND 7215 LACKAWANNA DRIVE,
SPRINGFIELD, VA 22150

Zoning:

FROM PDH- 2 TO R- 1

Map Ref Num:

090-3- /03/ 0006 /03/ 0007
/03/ 0008



CURVE DATA					
No.	RADIUS	DELTA	ARC	TANGENT	CHORD
1	516.81'	34°31'07"	315.58'	162.85'	310.75'
2	25.00'	190°00'00"	39.27'	25.00'	35.36'

VIRGINIA STATE GRID NORTH (NAD83)

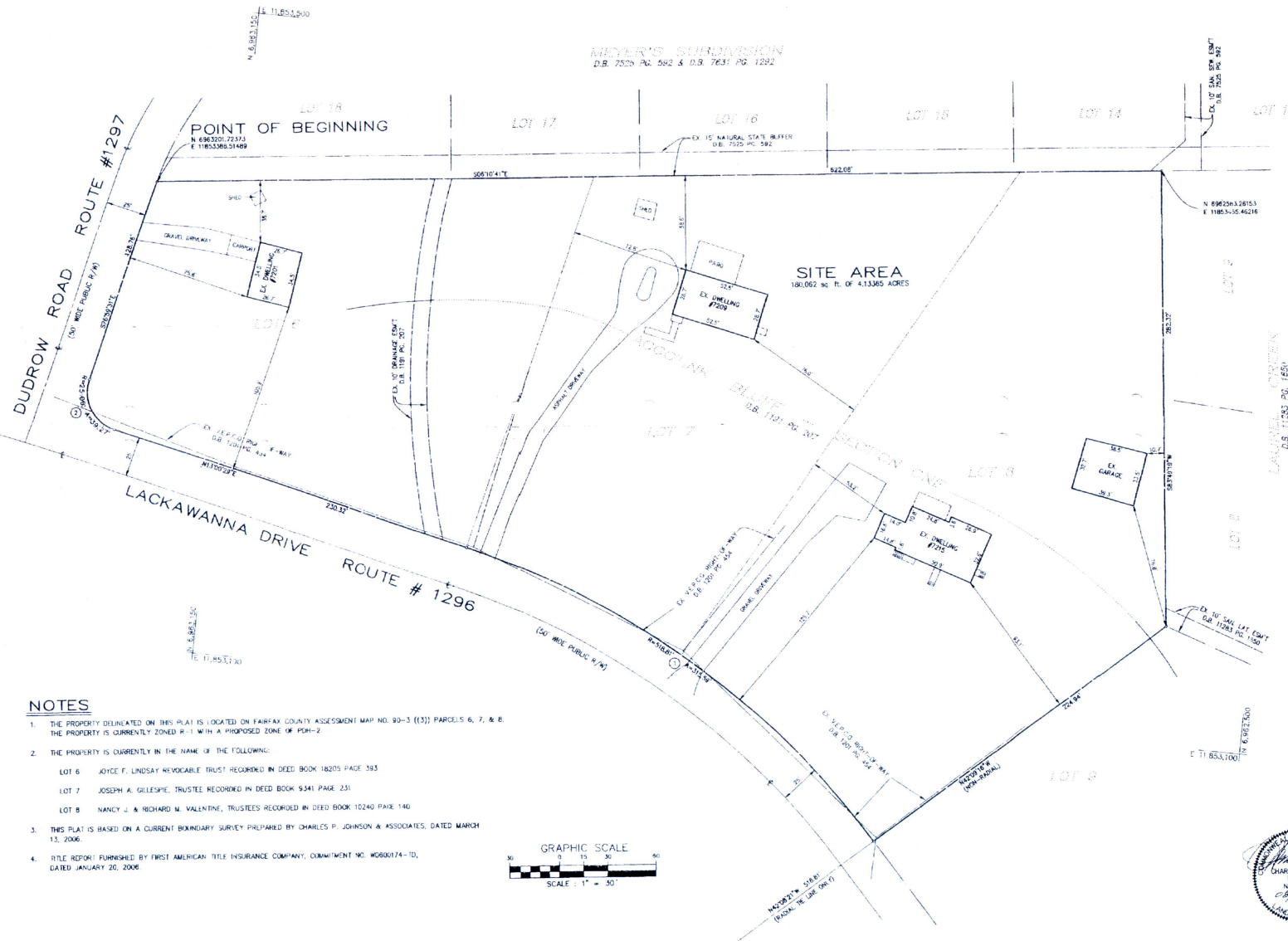
METTER'S SUBDIVISION
D.B. 2525 PG. 592 & D.B. 7631 PG. 1292



VICINITY MAP

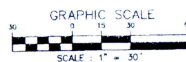
SCALE: 1" = 2000'

Copyright © 2006 by the Virginia State Survey and Mapping Division, LLC



NOTES

- THE PROPERTY DELINEATED ON THIS PLAT IS LOCATED ON FAIRFAX COUNTY ASSESSMENT MAP NO. 90-3 ((13)) PARCELS 6, 7, & 8. THE PROPERTY IS CURRENTLY ZONED R-1 WITH A PROPOSED ZONE OF PCN-2.
- THE PROPERTY IS CURRENTLY IN THE NAME OF THE FOLLOWING:
 - LOT 6 JOYCE F. LINDSAY REVOCABLE TRUST RECORDED IN DEED BOOK 18205 PAGE 393
 - LOT 7 JOSEPH A. GILLESPIE, TRUSTEE RECORDED IN DEED BOOK 9341 PAGE 231
 - LOT 8 NANCY J. & RICHARD M. VALENTINE, TRUSTEES RECORDED IN DEED BOOK 10240 PAGE 140
- THIS PLAT IS BASED ON A CURRENT BOUNDARY SURVEY PREPARED BY CHARLES P. JOHNSON & ASSOCIATES, DATED MARCH 13, 2006.
- TITLE REPORT FURNISHED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. W0800174-10, DATED JANUARY 20, 2006.



RECEIVED
Department of Planning & Zoning
AUG 11 2006
Zoning Enforcement Section

RECEIVED
Department of Planning & Zoning
OCT 12 2006
Zoning Enforcement Section

ZONING PLAT
FOR
LOTS 6, 7, AND 8
ACCONTINK BLUFF
SECTION ONE
DEED BOOK 1191 PAGE 207
LEE DISTRICT
FAIRFAX COUNTY, VIRGINIA

SCALE: 1" = 30' DATE: APRIL, 2006

CPI Charles P. Johnson & Associates, Inc.
PLANNERS ENGINEERS LANDSCAPE ARCHITECTS SURVEYORS
2000 MARKET STREET, SUITE 200, FAIRFAX, VIRGINIA 22030 (703) 991-1000
WWW.CPI-VA.COM

SHEET 1 OF 1

DESCRIPTION OF THE APPLICATION

On April 30, 2007, the Board of Supervisors approved Rezoning Application RZ 2006-LE-026 to rezone 4.13 acres from the R-1 Zoning District to the PDH-2 Zoning District in the name of Eastwood Properties, Incorporated to permit the development of eight single-family detached dwellings at a density of 1.94 dwelling units per acre (du/ac). Subsequent to the zoning approval, a Subdivision Plan was submitted to the Department of Public Works and Environmental Services (DPWES) for the proposed development; however, the Subdivision Plan was not approved and Eastwood Properties, Incorporated has not acquired the subject properties nor has any pending contracts to purchase them. The properties associated with this 2007 rezoning remain subject to the approved Conceptual Development Plan (CDP) / Final Development Plan (FDP) and proffers without the prospect for imminent implementation of the approved rezoning. As a result, the current property owners are restricted from making exterior improvements such as building additions, as discussed in the Background section of this report.

The applicant proposes to rezone the properties associated with RZ/FDP 2006-LE-026 from the PDH-2 District back to the R-1 District without proffers. This application, if approved, would return each of the subject parcels to the development status that existed prior to the 2007 rezoning approval. There are no site or building modifications associated with this application.

LOCATION AND CHARACTER

The 4.13 acre application area, currently zoned PDH-2, is located in the Lee Magisterial District near the intersection of Lackawanna Drive and Dudrow Road. The application area includes three parcels, shown in the image to the right, and is identical to the area of the previously approved rezoning (RZ/FDP 2006-LE-026). Each of the three lots contains a single family detached dwelling and associated structures such as garages, a carport, and sheds. All structures are proposed to remain.



Source: Fairfax County GIS

The image below summarizes the zoning district and use for the surrounding parcels. The surrounding parcels are planned for Residential use at a density of 1 – 2 du/ac.



Source: Fairfax County GIS

BACKGROUND

On April 30, 2007, the Board of Supervisors approved Rezoning application RZ 2006-LE-026 to rezone 4.13 acres from the R-1 Zoning District to the PDH-2 Zoning District in the name of Eastwood Properties, Incorporated to permit the development of eight single-family detached dwellings at a density of 1.94 dwelling units per acre (du/ac). The landscape plan from the approved CDP/FDP associated with RZ 2006-LE-026 is illustrated below. Appendix 3 contains the approved proffers for this case.



Source: Approved CDP/FDP from RZ/FDP 2006-LE-026 with additional labels and shading added

Subsequent to the rezoning and CDP/FDP approval, several plans, including a Subdivision Plan, were submitted to the Department of Public Works and Environmental Services (DPWES) for the proposed development. However, a Subdivision Plan has not been approved for the development. Subdivision Plan 024740-SD-001-2 was disapproved on July 11, 2012 according to records in Fairfax County's Land Development System (LDS).

Therefore, the subject properties are now zoned PDH-2 and their use is governed by the proffers and CDP/FDP that were approved with the 2007 rezoning. As a result, the current property owners face numerous development restrictions. For example, the construction of a new dwelling on any of the existing properties would not be in substantial conformance with the approved CDP/FDP proffered pursuant to RZ/FDP 2006-LE-026 and, therefore, would not be permitted. Further, homeowners may not make exterior modifications, such as additions, to existing structures because such modifications would not be in substantial conformance with the approved CDP/FDP.

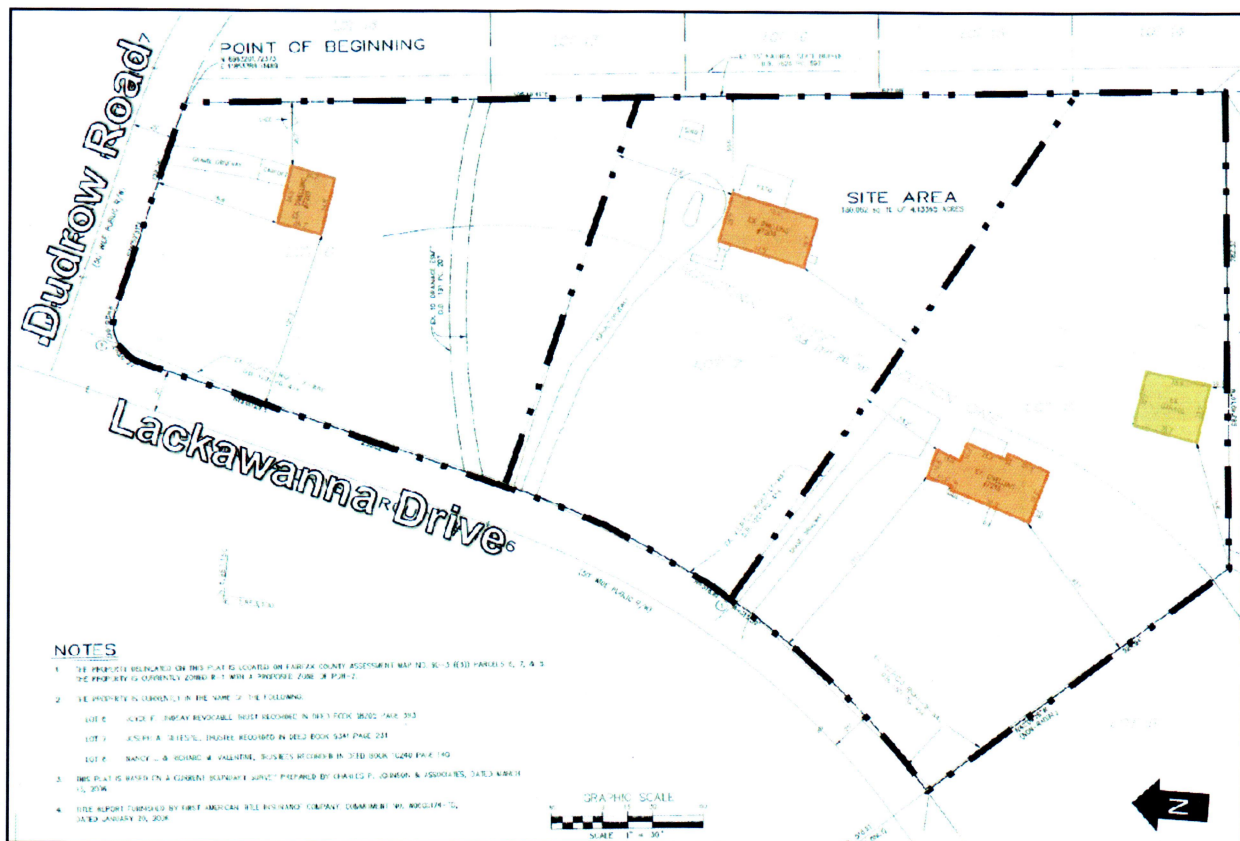
COMPREHENSIVE PLAN PROVISIONS

The subject property is located in Plan Area IV in the Springfield Planning District and Springvale Community Planning Sector. There is no specific plan text for the subject site. The Comprehensive Plan map calls for residential use at a density of 1 – 2 du/ac

on the subject property and surrounding properties. The use and density of the proposed development, therefore, are in conformance with the Comprehensive Plan.

ANALYSIS

The submission requirements for the Generalized Development Plan (GDP) were modified to allow the use of the Certified Plat (titled Zoning Plat for Lots 6, 7, and 8) and the Existing Vegetation Map that were submitted with RZ/FDP 2006-LE-026. As shown on the illustrated Plat excerpt below, the Certified Plat displays the existing parcel boundaries for each lot included within the application site area and depicts the locations of the existing single family detached dwellings and associated accessory structures. There are no site or building modifications proposed with this application.



Source: Certified Plat with additional labels and shading added

Land Use Analysis

Approval of the subject application would return each lot to the development status that existed prior to the approval of RZ 2006-LE-026. The existing density of the application area would be retained. The Land Use section of the Fairfax County Policy Plan outlines a set of Residential Development Criteria that staff typically uses to evaluate zoning requests for new residential development. However, because there is no new residential development associated with this application, staff did not perform an analysis of the proposal using the Residential Development Criteria.

Environmental and Stormwater Management Analysis

There are no environmental or stormwater management issues associated with this application.

Transportation Analysis (Appendix 4)

Staff from the Fairfax County Department of Transportation (FCDOT) reviewed the application and did not identify any transportation issues. Staff from the Virginia Department of Transportation (VDOT) commented that the applicant should ensure that drainage is adequate along Lackawanna Drive. This comment would only be applicable in the event of future redevelopment of the subject properties.

ZONING ORDINANCE PROVISIONS (Appendix 5)

The parcels included in the subject application may not satisfy all of the current R-1 Zoning District lot size requirements, shown below. Specifically, parcels six and seven may not meet the current R-1 District's minimum lot width requirement.

R-1 Zoning District Lot Size Requirements and Bulk Regulations

Min. Lot Area	Min. Lot Width	Max Height	Min Yard Req. (SFD)
36,000 sq. ft.	150 ft. (interior) 175 ft. (Corner)	35 ft. (SFD)	F: 40 ft. S: 20 ft. R: 25 ft.

However, Sect. 2-405 of the Zoning Ordinance states that if a lot was recorded prior to the effective date of the current Zoning Ordinance and met the requirements of the Zoning Ordinance in effect at the time of the recordation, then such lot may be used for any use permitted in the zoning district in which located. If the subject parcels are rezoned back to the R-1 District through the current application, the lots will each assume the development status that existed prior to the approval of the 2007 rezoning. Prior to any expansion of existing structures or placement of new structures on any of the subject properties, each property owner would be required to coordinate with Department of Public Works and Environmental Services (DPWES) and/or Department of Planning and Zoning (DPZ) staff on a case by case basis to obtain the necessary permits and determinations.

Waivers and Modifications

There are no waivers or modifications associated with this application.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

The applicant's request to rezone the subject property from the PDH-2 Zoning District to the R-1 Zoning District without proffers does not involve any site or building modifications. Staff finds that the application is in harmony with the Comprehensive Plan and conforms to all applicable Zoning Ordinance Provisions, as the subject properties would return to the same development status that existed prior to the approval of the 2007 rezoning.

Recommendation

Staff recommends approval of RZ 2012-LE-021.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

APPENDICES

1. Statement of Justification
2. Rezoning Affidavit
3. RZ 2006-LE-026 Clerk's Letter and CDP/FDP
4. FCDOT Analysis
5. Zoning Ordinance Provisions
6. Glossary of Terms

Statement of Justification

In 2006, the Board of Supervisors approved RZ 2006-LE-026 to rezone 4.13 acres of land from R-1 to PDH-2 in the name of Eastwood Properties. The subject property is located in the southeast quadrant of the intersection of Lackawanna Drive and Dudrow Road, Tax Map 90-3 ((3)) 6, 7, and 8. Following this zoning approval, Eastwood Properties abandoned the project.

Consequently, for over six years, the property owners have been unable to make any exterior modifications, obtain refinancing, or market their properties, since the properties are subject to the consolidated rezoning.

It has been determined that the best solution is to rezone the parcels back to their former R-1 status without proffers. This would allow the parcels to return to the same status that existed for each lot prior to the PDH-2 zoning.

Furthermore:

In response to checklist item #5, no land disturbing activity is proposed.

In response to checklist item #10, this proposal is in compliance with the development criteria of the adopted Comprehensive Plan of the County.

In response to checklist item #11, there are no known hazardous or toxic substances on the properties.

In response to checklist item #12, the proposed zoning conforms to the provisions of all applicable ordinances, regulations, and adopted standards.

In response to checklist item #13, there is no additional information.

In response to checklist item #14, item number 14 is not applicable to this rezoning request.

Chaparral Lindsey

11/19/2012

RECEIVED
Department of Planning & Zoning

OCT 12 2012

Zoning Evaluation Division

REZONING AFFIDAVIT

DATE: 1/10/13
(enter date affidavit is notarized)

I, Clifford F. Lindsay, Trustee, do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) ☒ applicant
☐ applicant's authorized agent listed in Par. 1(a) below

118829

in Application No.(s): RZ 2012-LE-021
(enter County-assigned application number(s), e.g. RZ 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(**NOTE:** All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Clifford F. Lindsay, Trustee for the Joyce F. Lindsay Revocable Trust, for the benefit of Jessica C.H. Lindsay	HC 68, Box 11, Frankford, WV, 24938	Applicant/Title Owner of TM 090-3((3)) Parcel 6
Alan J. Gillespie, Trustee for the Joseph A. Gillespie Trust, and Linda J. Lawhorn, Trustee for the Joseph A. Gillespie Trust for the benefit of Clifford J. Gillespie and Sandra M. Gillespie Levesque	7209 Lackawanna Dr., Springfield, VA, 22150	Title Owners of TM 090-3((3)) Parcel 7
	5816 Hanover Ave., Springfield, VA, 22150	
	167 Laurel Acres Lane, Louisa, VA 23093	
	144 Conscription Way, Hedgesville, VA 25457	
Susan E. Rowley Christopher L. Rowley	7215 Lackawanna Dr., Springfield, VA, 22150	Title Owner of TM 090-3((3)) Parcel 8
	7215 Lackawanna Dr., Springfield, VA, 22150	

(check if applicable) ☐ There are more relationships to be listed and Par. 1(a) is continued on a "Rezoning Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

REZONING AFFIDAVIT

DATE: 1/10/13
(enter date affidavit is notarized)

118829

for Application No. (s): RZ 2012-LE-021
(enter County-assigned application number(s))

- 1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders, **and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:**

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
N/A

DESCRIPTION OF CORPORATION: (check one statement)

- ☐ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. **President, Vice President, Secretary, Treasurer, etc.**)

(check if applicable) ☐ There is more corporation information and Par. 1(b) is continued on a "Rezoning Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

REZONING AFFIDAVIT

DATE: 1/10/13
(enter date affidavit is notarized)

118809

for Application No. (s): RZ 2012-LE-021
(enter County-assigned application number(s))

1(c). The following constitutes a listing*** of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state and zip code)
N/A

(check if applicable) ☐ The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

(check if applicable) ☐ There is more partnership information and Par. 1(c) is continued on a "Rezoning Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

REZONING AFFIDAVIT

DATE: 1/14/13
(enter date affidavit is notarized)

11 8829

for Application No. (s): RZ 2012-LE-021
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

☐ In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

☒ Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)

NONE

(check if applicable) ☐ There are more interests to be listed and Par. 2 is continued on a "Rezoning Attachment to Par. 2" form.

REZONING AFFIDAVIT

DATE: 1/10/13
(enter date affidavit is notarized)

11 8829

for Application No. (s): RZ 2012-LE-021
(enter County-assigned application number(s))

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)
NONE

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) ☐ There are more disclosures to be listed and Par. 3 is continued on a "Rezoning Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

☒ Applicant

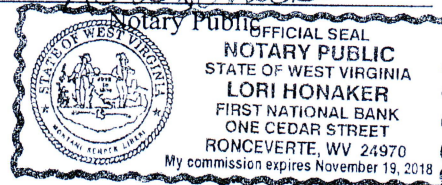
☐ Applicant's Authorized Agent

Clifford F. Lindsay, Trustee

(type or print first name, middle initial, last name, and title of signer)

Subscribed and sworn to before me this 10 day of January, 2013, in the State/Comm. of West Virginia, County/City of Greenbrier.

My commission expires: November 19, 2018





County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

May 2, 2007

Gregory A. Riegle, Esquire
McGuire Woods, LLP
1750 Tysons Boulevard, Suite 1800
McLean, VA 22102

RE: Rezoning Application RZ 2006-LE-026

Dear Mr. Riegle:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on April 30, 2007, granting Rezoning Application RZ 2006-LE-026 in the name of Eastwood Properties, Incorporated. The Board's action rezones certain property in the Lee District from the R-1 District to the PDH-2 District and permits residential development at a density of 1.94 dwelling units per acre on approximately 4.13 acres of land. The subject property is located in the southeast quadrant of the intersection of Lackawanna Drive and Dudrow Road, Tax Map 90-3 ((3)) 6, 7, and 8, and is subject to the proffers dated March 29, 2007.

The Board also:

- **Modified Section 2-0103.2 of the Public Facilities Manual (PFM), which limits pipestem lots to 20 percent of the total number of lots, to permit 50 percent of the total number of lots to be pipestem lots.**
- **Directed the Department of Public Works and Environmental Services to modify Section 7-0503 of the PFM, which contains a requirement for pipestem driveways, to permit a 10-foot wide planting strip in the center of the pipestem driveway.**

Office of Clerk to the Board of Supervisors
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035

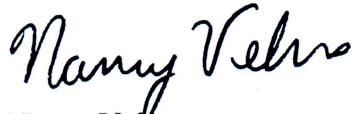
Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903

Email: clerktothebos@fairfaxcounty.gov

<http://www.fairfaxcounty.gov/bosclerk>

The Conceptual Development Plan was approved; the Planning Commission having previously approved Final Development Plan Application FDP 2006-LE-026 on March 22, 2007 subject to the Board's approval of RZ 2006-LE-026.

Sincerely,



Nancy Velhrs
Clerk to the Board of Supervisors

NV/dms

Enclosure

Cc: Chairman Gerald E. Connolly
Supervisor Dana Kauffman, Lee District
Janet Coldsmith, Director, Real Estate Division, Dept. of Tax Administration
Regina Coyle, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Thomas Conry, Dept. Manager. – GIS - Mapping/Overlay
Angela K. Rodeheaver, Section Chief, Transportation. Planning Division
Ellen Gallagher, Capital Projects and Operations Div., Dept. of Transportation
Audrey Clark, Director – Building Plan Review, DPWES
Ken Williams, Plans & Document Control, ESRD, DPWES
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
District Planning Commissioner
Barbara J. Lippa, Executive Director, Planning Commission
Jose Comayagua, Director, Facilities Management
Gary Chevalier, Office of Capital Facilities/Fairfax County Public Schools
Dale Castellow, Chief Capital Projects Sections, Dept. of Transportation

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 30th day of April 2007, the following ordinance was adopted:

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROPOSAL NUMBER RZ 2006-LE-026**

WHEREAS, Eastwood Properties, Incorporated, filed in the proper form an application requesting the zoning of a certain parcel of land herein after described, from the R-1 District to the PDH-2 District, and

WHEREAS, at a duly called public hearing the Planning Commission considered the application and the propriety of amending the Zoning Ordinance in accordance therewith, and thereafter did submit to this Board its recommendation, and

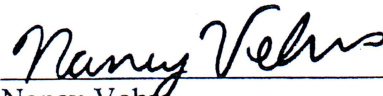
WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

NOW, THEREFORE, BE IT ORDAINED, that that certain parcel of land situated in the Lee District, and more particularly described as follows (see attached legal description):

Be, and hereby is, zoned to the PDH-2 District, and said property is subject to the use regulations of said Lee District, and further restricted by the conditions proffered and accepted pursuant to Va. Code Ann., 15.2-2303(a), which conditions are in addition to the Zoning Ordinance regulations applicable to said parcel, and

BE IT FURTHER ENACTED, that the boundaries of the Zoning Map heretofore adopted as a part of the Zoning Ordinance be, and they hereby are, amended in accordance with this enactment, and that said zoning map shall annotate and incorporate by reference the additional conditions governing said parcel.

GIVEN under my hand this 30th day of April, 2007.



Nancy Vehs
Clerk to the Board of Supervisors

Proffers

Eastwood Properties, Lackawanna Drive

RZ 2006-LE-026

March 29, 2007

Pursuant to Section 15.2-2303(A), Code of Virginia, 1950 as amended, the undersigned Applicant and Owners, in this rezoning proffer that the development of the parcel under consideration and shown on the Fairfax County Tax Map as Tax Map Reference 90-3((3))6, 7, 8 (hereinafter referred to as the "Property") will be in accordance with the following conditions (the "Proffered Conditions"), if and only if, said rezoning request for the PDH-2 Zoning District is granted. In the event said rezoning request is denied, these Proffered Conditions shall be null and void. The Owners and Applicant, for themselves, their successors and assigns hereby agree that these Proffered Conditions shall be binding on the future development of the Property unless modified, waived or rescinded in the future by the Board of Supervisors of Fairfax County, Virginia, in accordance with applicable County and State statutory procedures. The Proffered Conditions are:

I. GENERAL

1. Substantial Conformance. Subject to the provisions of Article 16 of the Fairfax County Zoning Ordinance (hereinafter referred to as the "Zoning Ordinance"), development of the Property shall be in substantial conformance with the Conceptual Development Plan/Final Development Plan (CDP/FDP), prepared by Charles P. Johnson & Associates, Inc., consisting of 5 sheets, dated June 9, 2006, revised through February 28, 2007.

2. Maximum Lot Yield. The development shall consist of a maximum of 8 single family detached units. Except as may be further qualified by these proffered conditions, minor modifications to the building envelopes including house location and sizes may be permitted in accordance with Section 16-403 of the Zoning Ordinance.
3. Establishment of HOA. Prior to subdivision plat approval, the Applicant shall demonstrate that the Property will be governed by a Homeowners Association (HOA) and be subject to a Declaration of Covenants, Conditions and Restrictions consistent with the requirements of Article 2 of the Zoning Ordinance.
4. Dedication to HOA. In conjunction with the appropriate subdivision plan review process, open space, common areas, pipestem drive, and amenities not otherwise conveyed or dedicated to the County shall be dedicated to the HOA and maintained by the same.
5. Disclosure. Prior to entering into a contract of sale, prospective purchasers shall be notified in writing by the Applicants of the maintenance responsibility for the pipestem drive, stormwater management facilities, grass-crete pavers, common area landscaping and any other open space amenities, and shall acknowledge receipt of this information in writing. The deeds of conveyance and HOA documents shall expressly contain these disclosures.

6. Garages. A minimum of two side-by-side parking spaces shall be provided within the garage of each new dwelling unit. Any conversion of garages that will preclude the parking of vehicles within the garage is prohibited. A covenant setting forth this restriction shall be recorded among the land records of Fairfax County in a form approved by the County Attorney prior to the sale of any lots and shall run to the benefit of the Board of Supervisors and the HOA and this restriction shall be included in the HOA documents.
7. Energy Conservation. All dwellings on the Property shall meet the thermal guidelines of the CABO Model Energy Program for energy efficient homes, or its equivalent as determined by DPWES for either gas or electric energy systems, as may be applicable.
8. Signs. No temporary signs (including “popsicle” style paper or cardboard signs), which are prohibited by Article 12 of the Zoning Ordinance and Chapter 7 of Title 33.1, and Chapter 8 of Title 46.2 of the Code of Virginia, shall be placed on or offsite by the Applicant or at the Applicant’s direction. The Applicant shall direct its agents and employees involved with the Property to adhere to this proffer.
9. Construction Hours. Construction shall only occur between the hours of 7:00 a.m. until 7:00 p.m. Monday through Friday, 8:00 a.m. until 6:00 p.m. on Saturday and 9:00 a.m. until 6:00 p.m. on Sunday. Construction activities shall not occur on the holidays of Memorial Day, July 4th, Labor Day, Thanksgiving, Christmas, Easter, and New Years Day. The construction hours shall be posted on the property. The allowable hours of

construction as specified in this proffer shall be listed within any contract with future sub-contractors associated with construction on the site.

10. Architecture. The fronts of the dwelling units and the sides of the units on Lots 1, 4 and 8 will be constructed with brick and/or stone materials, exclusive of windows, doors, shutters and trim. Vinyl, hardi-plank or other similar cementitious siding products or a combination of these shall be used on the other sides and backs, exclusive of windows, doors, shutters and trim, although vinyl will only be used where the ultimate spacing between dwelling units will be 15 feet or greater. The retaining walls, as depicted on the CDP/FDP, shall be faced with masonry materials and shall be earthtone in color.
11. Lot Typical. The minimum front, side and rear yards for Lots 2 through 8 shall be consistent with that shown on the typical lot layout on the CDP/FDP. For corner Lot 1, the minimum front yard shall be 25 feet, the minimum side yard shall be 10 feet and the minimum rear yard shall be 25 feet. Decks, bays, windows, patios, chimneys, areaways, mechanical equipment and other similar appurtenances may encroach into minimum yards as established on the "lot typical" generally described on the CDP/FDP and in this proffer, as permitted by Section 2-412 and Article 10 of the Zoning Ordinance, as applicable.
12. Construction Staging. There shall be no staging or parking of construction vehicles, construction equipment, or construction workers vehicles on Lackawanna Drive or Dudrow Road associated with the construction of the proposed houses.

II. TRANSPORTATION

13. Right-of-Way Dedication. At the time of recordation of the first record plat or upon demand, whichever occurs first, right-of-way to 27.5 feet from the centerline of Lackawanna Drive and Dudrow Road, as shown on the CDP/FDP, shall be dedicated and conveyed to the Board of Supervisors in fee simple with density reserved subject to the provisions of Paragraph 4 of Section 2-308 of the Zoning Ordinance.
14. Pipestem Drive. The pipestem drive shall be constructed by the Applicant with materials and to the pavement thickness standard of private streets as set forth in the Public Facilities Manual (PFM), subject to DPWES approval. Prior to entering into a contract of sale, prospective purchasers shall be notified of the existence of the pipestem drive and the associated maintenance obligations and such information shall be included in the HOA documents.
15. Length of Driveways. The driveway on each residential lot shall have a minimum of 18 feet of pavement available for parking without infringing into the right-of-way or sidewalk area and shall be a minimum of 18 feet in width.
16. Frontage Improvements. Prior to the issuance of the first Residential Use Permit, the Applicant shall construct improvements along the property's entire frontage on Lackawanna Drive to 18 feet from the centerline to face of curb, as approved by

DPWES. A 5 foot wide sidewalk will also be provided as part of the road improvements on Lackawanna Drive, as approved by DPWES.

17. Public Access Easements. A public access easement in a form approved by the County Attorney shall be placed on the pipestem drive within the approved development.

III. HOUSING TRUST FUND

18. Housing Trust Fund. At the time of the first building permit issuance, the Applicant shall contribute a sum equal to one-half of one percent (0.5%) of the projected sales price for each dwelling unit on the Property to the Fairfax County Housing Trust Fund, as determined by the Department of Housing and Community Development in consultation with the Applicant to assist the County in its goal to provide affordable dwellings. The projected sales price shall be based upon the aggregate sales price of all of the units, as if those units were sold at the time of the issuance of the first building permit and is estimated through comparable sales of similar type units.

IV. ENVIRONMENTAL

19. Stormwater Management Facilities and Best Management Practices Techniques.
Stormwater Management and Best Management Practices (BMP's) shall be provided, as approved by DPWES, in the area shown on the CDP/FDP. The area surrounding the detention facility shall be landscaped to the maximum extent possible, as determined by

the Urban Forest Management, in accordance with the planting policies of the Board of Supervisors and as generally shown on Sheet 2 of 5 of the CDP/FDP. Specifically, water-tolerant grasses will be utilized in the base of the pond.

20. Limits of Clearing and Grading. The Applicant shall conform strictly to the limits of clearing and grading as shown on the CDP/FDP subject to the installation of utilities and/or trails as determined necessary by the Director of DPWES. If it is determined necessary to install utilities and/or trails outside of the limits of clearing and grading as shown on the CDP/FDP, they shall be located in the least disrupting manner possible as determined by Urban Forest Management, DPWES. A replanting plan shall be developed and implemented, subject to approval by the Urban Forest Management, DPWES, for any areas outside the limits of clearing and grading that must be disturbed.
21. Tree Preservation. The applicant shall submit a tree preservation plan as part of first and all subsequent subdivision plan submissions. The preservation plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a certified arborist or landscape architect, and reviewed and approved by the Urban Forest Management (UFM), DPWES. The tree preservation plan shall consist of a tree survey that includes the location, species, size, crown spread and condition rating percentage of all trees 10 inches in diameter or greater and located within 20 feet to either side of the limits of clearing and grading shown on the CDP/FDP for the entire site. The tree survey shall also include areas of clearing and grading not shown on the CDP/FDP resulting from engineering requirements, such as off-site clearing and grading for utilities and

stormwater outfall. The condition analysis ratings shall be prepared using methods outlined in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture. Specific tree preservation activities that will maximize the survivability of trees identified to be preserved, such as: crown pruning, root pruning, soil treatments, mulching, fertilization, and others as necessary, shall be included in the plan.

22. Tree Value Determination. The Applicant shall retain a professional with experience in plant appraisal, such as a certified arborist or landscape architect, to determine the replacement value of all trees 10 inches (10") in diameter or greater and located within twenty (20) feet of the outer edge of the limits of clearing and grading (i.e. outside the limits of clearing and grading) as shown on the CDP/FDP which are identified to be preserved on the Tree Preservation Plan. These trees and their value shall be identified on the Tree Preservation Plan at the time of the first submission of the Subdivision Plan. The replacement value shall take into consideration the age, size and condition of these trees and shall be determined by the "Trunk Formula Method" contained in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture, subject to review and approval by UFM; DPWES.
23. Tree Bonds. In order to provide a remedy for any unintended disruption to trees required to be preserved under these proffers, at the time of subdivision plan approval, the Applicant shall both post a cash bond and a letter of credit or similar corporate surety bond payable to the County of Fairfax to ensure preservation and/or replacement of the

trees for which a tree value has been determined in accordance with the previous proffer (hereinafter the "bonded trees") that die or are dying due solely to unauthorized construction activities. The Applicant shall have no obligation for trees that die or are dying for reasons unrelated to unauthorized construction activities. The letter of credit or corporate surety bond shall be equal to fifty percent (50%) of the replacement value of the bonded trees. The cash bond shall consist of thirty three percent (33%) of the amount of the letter of credit or corporate surety bond.

During the time period in which the Tree Bond is required to be held, should unauthorized construction activity cause any bonded trees to die, or be removed, the Applicant shall replace such trees at its expense. As stated above, the Applicant shall have no obligation to replace trees that die or are dying for causes unrelated to unauthorized activities. The replacement trees shall be of equivalent size, species, and/or canopy cover as approved by UFM and shall incorporate native plant species. In addition to this replacement obligation, the Applicant shall also make a payment equal to the value of any Bonded Tree that is dead or dying or improperly removed due to unauthorized activity. This payment shall be determined based on the "Trunk Formula Method" and paid to a fund established by the County for furtherance of tree preservation objectives. Upon release of the site performance bond, any amount remaining in the tree bonds required by this proffer shall be returned/released to the Applicant. At the time of approval of the final RUP, the Applicant may request a release of any monies remaining in the cash bond and a reduction in the letter of credit or corporate surety bond to an amount up to twenty percent (20%) of the total amounts originally committed provided they are in good standing with the tree proffer commitments.

Any funds remaining in the letter of credit or cash bond will be released concurrently with the site performance bond release, or sooner, if approved by UFM.

24. Protection of Existing Understory Vegetation and Soil Conditions in Tree Preservation Areas. All tree preservation-related work occurring in or adjacent to tree preservation areas shall be accomplished in a manner that minimizes damage to vegetation to be preserved in the lower canopy environment, and to the existing top soil and leaf litter layers that provide nourishment and protection to that vegetation. Any removal of any vegetation or soil disturbance in tree preservation areas including the removal of plant species that may be perceived as noxious or invasive, such as poison ivy, greenbrier, multi-floral rose, etc. shall be subject to the review and approval of UFM.
25. Use of Equipment. Except as qualified herein, the use of motorized equipment in tree preservation areas will be limited to hand-operated equipment such as chainsaws, wheel barrows, rake and shovels. Any work that requires the use of motorized equipment, such as tree transplanting spades, skid loaders, tractors, trucks, stump-grinders, etc., or any accessory or attachment connected to this type of equipment shall not occur unless pre-approved by UFM.
26. Root Pruning and Mulching. The Applicant shall 1) root prune, 2) mulch, and 3) provide tree protection fencing in the form of four foot (4') high, fourteen (14) gauge welded wire attached to six foot (6') steel posts driven eighteen inches (18") into the ground and placed no further than ten feet (10') apart, or other forms of tree protection fencing

approved by UFM, DPWES for all tree preservation relevant areas. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets and demolition plan sheets of the subdivision plan submission. The details for these treatments shall be reviewed and approved by UFM, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:

- Root pruning shall be done with a trencher, vibratory plow to a depth of eighteen inches (18").
- Root pruning shall take place prior to any clearing and grading, or demolition of structures.
- Root pruning shall be conducted with the supervision of a certified arborist.
- Tree protection fence shall be installed immediately after root pruning, and shall be positioned directly in the root pruning trench and backfilled for stability, or just outside the trench within the disturbed area.
- Immediately after the Phase II Erosion and Sedimentation activities are complete, mulch shall be applied at a depth of four inches (4") extending ten feet (10') inside the undisturbed area without the use of motorized equipment.
- A UFM representative shall be informed when all root pruning and tree protection fence installation is complete.

27. Tree Preservation Walk-Through. The Applicant shall retain the services of a certified arborist or landscape architect, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the pre-construction meeting. Before or during the pre-construction meeting, the Applicant's certified arborist or landscape architect shall walk the limits of clearing and grading with a UFM representative and a representative from the Lee District Land Use Committee to determine where adjustments to the clearing limits can be made to increase the area of tree preservation; increase the survivability of trees at the edge of the limits of clearing and grading; facilitate the removal of trees adjacent to the limits of clearing and grading; facilitate tree preservation activities such as root pruning or fencing; or

facilitate the installation of erosion and sediment control devices. Such adjustment shall be implemented. Trees that are identified specifically by UFM in writing as dead or dying may be removed as part of the clearing operation, but it is noted that unless a dead or dying tree presents a safety hazard, attempts will be made to retain the tree. The dead or dying tree may be topped in order to be retained if that eliminates the problem of a safety hazard. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump grinding machine in a manner causing as little disturbance as possible to the adjacent trees and associated understory vegetation and soil conditions.

28. Tree Protection Fencing. All trees shown to be preserved on the Tree Preservation Plan shall be protected by tree protection fencing, as proffered above. Tree protection fencing shall be installed prior to any clearing and grading activities including the demolition of any existing structures at the limits of clearing and grading as shown on the demolition, and Phase I & II erosion and sediment control sheets, as may be modified during the tree preservation walk through with an UFM representative. All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fence types shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Five (5) working days

prior to the commencement of any clearing, grading, or demolition activities, but subsequent to the installation of the tree protection devices including fencing, UFM and Lee District Supervisor staff shall be notified and given the opportunity to inspect the site to assure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by UFM.

29. Site Monitoring. During any clearing or tree/vegetation structure removal or transplantation of vegetation on the subject site, a representative of the applicant shall be present to monitor the process and ensure that the activities are conducted as proffered and as approved by UFM. The applicant shall retain the services of a certified arborist or landscape architect to monitor all construction work and tree preservation efforts in order to ensure conformance with all tree preservation proffers/conditions, and UFM approvals. The inspection/monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by UFM, DPWES. The Lee District Supervisor shall be notified of the name and contact information of the Applicant's representative responsible for site monitoring at the tree preservation walk-through meeting.

30. Landscaping. Landscaping shall be consistent with the quality, quantity and general location shown on the Landscape Plan on Sheet 2 of the CDP/FDP. At the time of planting, the minimum caliper for deciduous trees shall be two and one-half (2.5) inches to three (3) inches and the minimum height for evergreen trees shall be seven (7) feet.

Actual types and species of vegetation shall be determined pursuant to more detailed landscape plans approved by Urban Forest Management at the time of subdivision plan approval. Such landscape plans shall provide tree coverage and species diversity consistent with the Public Facilities Manual (PFM) criteria, as determined by Urban Forest Management.

31. Conservation Easement. The area identified on the CDP/FDP as “proposed conservation easement” shall remain as undisturbed, except for areas necessary for installation of utility easements or trails determined necessary by the Director, DPWES. These undisturbed areas shall be subject to a conservation easement running to the benefit of Fairfax County, in a form approved by the County Attorney. Such easement shall prohibit the removal of trees except those which are diseased, noxious or hazardous or within utility or trail easements and the erection of fences or any other structures. If a tree is dead but does not pose a safety hazard, attempts will be made to retain the tree. The dead or dying tree may be topped in order to be retained if that eliminates the problem of a safety hazard. The homeowner’s association covenants shall contain clear language delineating this area, the restrictions in that area including the prohibition of any structures, fences, etc. and the responsibilities of individual homeowners. This Conservation Easement shall be recorded prior to final bond release.
32. Reforestation. A reforestation plan for that area on the CDP/FDP shown to be reforested shall be submitted concurrently with the first and all subsequent subdivision plan submissions for review and approval by UFM and shall be implemented as approved.

This plan shall be developed and implemented in accordance with the standards specified in Par. (f) of Section 118-3-3 of the Chesapeake Bay Preservation Ordinance and as reviewed and approved by Urban Forest Management, DPWES. The plan shall propose an appropriate selection of species based on existing and proposed site conditions to restore the area to a native forest cover type. The reforestation plan shall include, but not be limited to the following:

- plant list detailing species, sizes and stock type of tree and other vegetation to be planted
- soil treatments and amendments if necessary
- mulching specifications
- methods of installation
- maintenance
- morality threshold
- monitoring
- replacement schedule

After removal by hand of the existing shed in the northern corner of the site within the Conservation Easement, the area shall be reforested as specified in this proffer. After removal of the existing garage in the southern portion of the site, the area within the Conservation Easement shall be reforested as specified in this proffer. To the greatest extent possible, existing Mountain Laurel shrubs on the site within the areas to be graded will be used as reforestation material.

33. Demolition of Existing Structures. The demolition of existing features and structures shall be conducted in a manner that does not impact on individual trees and/or groups of trees that are to be preserved as reviewed and approved by Urban Forest Management, DPWES. Methods to preserve existing trees may include, but not be limited to, the use

of super silt fence, welded wire tree protection fence, root pruning, mulching, as approved by the Urban Forest Management.

34. Grass-Crete Paver Maintenance. On or before bond release for the proposed development, and as a condition thereto, the Applicant shall deposit \$3,000 into an escrow account established for the benefit of the HOA for future maintenance, repair and upkeep of the grass-crete pavers utilized in the off-street parking off of the pipestem drive. The HOA documents shall expressly state that the grass-crete pavers shall be maintained as pervious surfaces.

V. Recreation Facilities

35. Recreation Contribution. At the time of subdivision approval, the Applicant shall contribute the sum of \$955.00 per approved residential unit approved for the total number of dwelling units, to the Fairfax County Park Authority or use on recreational facilities in the general vicinity of the subject property, subject, however, to a credit for expenditures on-site for a gazebo, benches, trail and other similar facilities in open space areas depicted on the CDP/FDP.
36. Park Authority Contribution. In addition to Proffer 34 above, the Applicant shall contribute \$10,070 to the Fairfax County Park Authority prior to the issuance of the first Residential Use Permit for park purposes and/or facilities in the area.

VI. SCHOOLS

37. Prior to the issuance of the first building permit, the Applicant shall contribute \$23,260 to the Board of Supervisors ("Board") to be utilized for the provision of capital facilities within the Fairfax County schools serving this development.

VII. Successors and Assigns

These proffers shall bind and inure to the benefit of the Applicant and his/her successors and assigns.

VIII. Counterparts

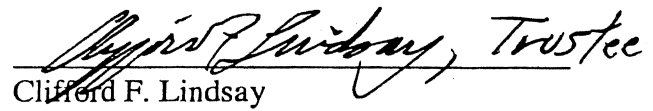
These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original document and all of which taken together shall constitute but one and the same instrument.

TITLE OWNERS AND APPLICANTS SIGNATURES TO FOLLOW ON THE NEXT PAGE:

Clifford F. Lindsay

Trustee for the Joyce F. Lindsay Revocable Trust

Title Owner of TM 90-3((3))6

 *Clifford F. Lindsay, Trustee*


Clifford F. Lindsay

Trustee for the Joyce F. Lindsay Revocable Trust

Joseph A. Gillespie

Trustee for the Joseph A. Gillespie Trust

Title Owner of TM 90-3((3))7



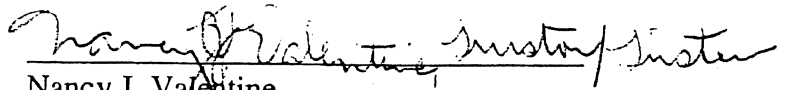
Joseph A. Gillespie

Trustee for the Joseph A. Gillespie Trust

Nancy J. Valentine

Trustor/Trustee of the Nancy J. Valentine Trust

Title Owner of TM 90-3((3))8

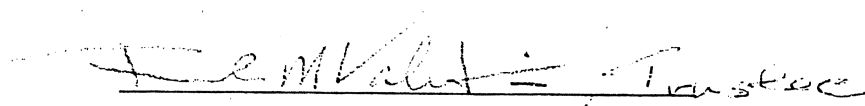

Nancy J. Valentine

Trustor/Trustee of the Nancy J. Valentine Trust

Richard M. Valentine

Trustee of the Nancy J. Valentine Trust

Title Owner of TM 90-3((3))8

A handwritten signature in cursive script, appearing to read "R M Valentine", is written over a horizontal line. The word "Trustee" is written in a smaller, less distinct cursive script to the right of the signature.

Richard M. Valentine

Trustee of the Nancy J. Valentine Trust

EASTWOOD PROPERTIES, INC.
CONTRACT PURCHASER
of TM 90-3((3))6, 7, 8

By: Eastwood Properties, Inc.

Name Richard L. Labbe

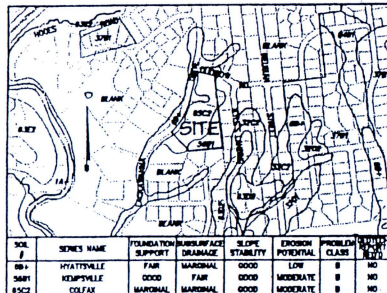
Richard L. Labbe

Title: President/Secretary/ Treasurer

CONCEPTUAL / FINAL DEVELOPMENT PLAN LACKAWANNA DRIVE

LEE DISTRICT
FAIRFAX COUNTY, VIRGINIA

RZ 2006-LE-026



SOILS MAP/DATA
SCALE: 1" = 500'

DENSITY TABULATIONS

SECTION ONE	ADDITIONAL LOTS	AREA	DENSITY
CURRENT CONFIGURATION (LOTS 1, 2, 5-10)	8	12.00 Ac	0.87 DU/AC
AREA OF REZONING (LOTS 6, 7 & 8)	3	4.14 Ac	0.72 DU/AC
RESIDUAL OF SECTION ONE (LOTS 1, 2, 5, 9 & 10)	5	7.86 Ac	0.838 DU/AC
SECTION TWO			
CURRENT CONFIGURATION (LOTS 17, 18A1, 18A2, 18B)	4	10.28 Ac	0.38 DU/AC
TOTAL	9	18.15 Ac	0.405 DU/AC

MINIMUM STORMWATER INFORMATION FOR REZONING, SPECIAL EXCEPTION, SPECIAL PERMIT AND DEVELOPMENT PLAN APPLICATIONS

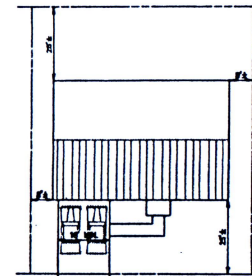
- Plan is at a minimum scale of 1"=100' (unless R is specified on one sheet with a minimum scale of 1"=100').
- A graphic depicting the stormwater management facility(ies) and details of clearing and grading necessary to the stormwater management facility(ies), storm drainage plan, system and outlet protection, pond settings, water levels, site surface, stormwater detention, and stormwater distribution measures as shown on Sheet 1.
 - Provide:
 - Facility Name/Type & No.
 - On-site area (acres)
 - Off-site area (acres)
 - Drainage area (acres)
 - Facility Volume (cu ft)
 - Storage Volume (cu ft)
 - If pond, dam height (ft)
 - Drainage structure, outfalls, and pipe systems are shown on Sheet 1.
 - Final inlet and outlet pipe systems are shown on Sheet 1.
 - Watercourse access (road) to stormwater management facility is shown on Sheet 1.
 - Type of maintenance access road surface noted on the plan is asphalt.
 - Landscaping and tree preservation shown to and near the stormwater management facility is shown on Sheet 1.
 - A "stormwater management narrative" which includes a description of how detention and load management practices requirements will be met is provided on Sheet 1.
 - A description of the existing conditions of each regulated site, including all existing structures, the site is a pond which is at least 100 ft from the site or which has a drainage area of at least one square mile (400 acres) is provided on Sheet 1.
 - A description of how the outlet requirements, including losses change to contributing drainage areas (i.e. drainage direction), of the Public Facilities Manual will be satisfied is provided on Sheet 1.
 - Existing topography with minimum contour intervals of two (2) feet and a note as to whether it is an air survey or field run is provided on Sheet 1.
 - A subdivision author is requested for: N/A
 - Stormwater management is not required because: N/A

SITE TABULATIONS

SITE AREA:	
LOT AREA	118,317 sq. (2,738 Ac)
PARCEL "A"	58,877 sq. (1,352 Ac)
RIGHT-OF-WAY DEDICATION	1,886 sq. (0.043 Ac)
TOTAL	180,082 sq. (4,134 Ac)

PDH-2 ZONE

	REQUIRED	PROVIDED
NUMBER OF LOTS	—	8 SINGLE-FAMILY DETACHED
DENSITY	2 DU/AC (MAX)	1.84 DU/AC
MINIMUM LOT AREA	N/A	13,000 sq. ft.
AVERAGE LOT AREA	N/A	14,800 sq. ft.
MAXIMUM BUILDING HEIGHT	N/A	30'
OPEN SPACE	20%	23%
PARKING	2 SPACES/UNIT	2 SPACES/UNIT (16 TOTAL)



TYPICAL LOT LAYOUT

SCALE: 1" = 20'

NOTES

- THE PROPERTY DELINEATED ON THIS PLAN IS LOCATED ON FAIRFAX COUNTY TAX ASSESSMENT MAP NUMBER 90-3(13) LOTS 6, 7, & 8. THE SITE IS CURRENTLY ZONED R-1. THE PROPOSED ZONING IS PDH-2.
- THE PROPERTY HEREIN IS CURRENTLY IN THE OWNERSHIP OF:
 - LOT 6 - CLIFFORD F. LINDSEY, TR. AND JOYCE F. LINDSEY REVOCABLE TRUST IN DEED BOOK 10208 AT PAGE 303
 - LOT 7 - JOSEPH A. GILLESPIE, TR. IN WILL BOOK 481 AT PAGE 163, AND DEED BOOK 6341 AT PAGE 531
 - LOT 8 - NANCY A. & RICHARD M. VALENTINE, TRS. IN DEED BOOK 10240 AT PAGE 140
- BOUNDARY AND TOPOGRAPHIC INFORMATION TAKEN FROM A FIELD RUN SURVEY PREPARED BY CHARLES P. JOHNSON & ASSOCIATES, DATED MARCH 2006. CONTOUR INTERVAL EQUALS TWO FEET UNLESS NOTED OTHERWISE.
- THERE IS NO 100-YEAR FLOODPLAIN ON-SITE, NO FLOODPLAIN OR DRAINAGE STUDIES ARE REQUIRED FOR THIS PROJECT.
- THERE ARE NO RESOURCE PROTECTION AREAS (RPAs) OR ENVIRONMENTAL QUALITY CONDOORS (EQCs) ON-SITE. A WATER QUALITY IMPACT ASSESSMENT WILL NOT BE REQUIRED.
- TO THE BEST OF OUR KNOWLEDGE, THE SITE HAS NO SCENIC ASSETS OR NATURAL FEATURES DESERVING OF PROTECTION AND PRESERVATION.
- TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO KNOWN GRAVES, OBJECTS, OR STRUCTURES MARKING A PLACE OF BURIAL.
- TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO EXISTING UTILITY EASEMENTS HAVING A WIDTH OF 35 FEET OR GREATER, NOR ANY MAJOR UNDERGROUND UTILITY EASEMENTS LOCATED WITHIN THE SITE.
- ALL EXISTING WELLS AND DRAINAGE FIELDS ON-SITE ARE TO BE CAPPED AND ABANDONED IN ACCORDANCE WITH HEALTH DEPARTMENT REGULATIONS.
- SEE SHEET 6 FOR A DESCRIPTION OF EXISTING VEGETATION.
- EXISTING STRUCTURES ARE TO BE REMOVED. DATES OF CONSTRUCTION FOR THE EXISTING DWELLINGS:
 - LOT 6 - 1908
 - LOT 7 - 1960
 - LOT 8 - 1908
- THERE ARE NO ZONING OVERLAY DISTRICTS ON THIS SITE.
- NO DENSITY REDUCTIONS ARE REQUIRED BY ZONING ORDINANCE SECTION 3-308.
- TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO HAZARDOUS OR TOXIC SUBSTANCES AS SET FORTH IN TITLE 40. CODE OF FEDERAL REGULATIONS PART 191.4, 302.4, AND 308. HAZARDOUS WASTE AS SET FORTH IN COMMONWEALTH OF VIRGINIA / DEPARTMENT OF WASTE MANAGEMENT VI 872-10-1 - VIRGINIA HAZARDOUS WASTE MANAGEMENT REGULATIONS AND/OR PETROLEUM PRODUCTS AS DEFINED IN TITLE 40. CODE OF FEDERAL REGULATIONS PART 300, TO BE GENERATED, UTILIZED, STORED, TREATED, AND/OR DISPOSED OF ON-SITE.
- THERE ARE NO AFFORDABLE DWELLING UNITS (ADUs) REQUIRED FOR THIS PROJECT.
- IN ACCORDANCE WITH THE ADOPTED COMPREHENSIVE PLAN, THE PROPOSED DEVELOPMENT WILL PROVIDE RESIDENTIAL DEVELOPMENT AT 1.84 DWELLING UNITS PER ACRE AND WILL CONFORM TO ALL APPLICABLE ORDINANCES, REGULATIONS, AND ADOPTED STANDARDS EXCEPT AS NOTED BELOW:
 - A MODIFICATION OF PPM 3-303.2 TO ALLOW PINESTON LOTS IN EXCESS OF 20% OF THE TOTAL NUMBER OF LOTS
 - A MODIFICATION OF PPM 7-000.2 TO ALLOW A 30' RADIAL TURN AROUND.
 - A MODIFICATION OF THE TYPICAL SECTION OF A PAVED DRIVEWAY (PS-1) TO ALLOW THE PAVED DRIVEWAY SHOWN
- PROPOSED PUBLIC IMPROVEMENTS:
 - A. WATER SERVICE TO BE PROVIDED BY EXISTING 8" MAIN LOCATED IN LACKAWANNA DRIVE AND DUNROD DRIVE
 - B. SANITARY SERVICE TO BE PROVIDED BY AN EXISTING 8" MAIN LOCATED IN LACKAWANNA DRIVE
- THERE ARE NO RECREATIONAL FACILITIES PROPOSED WITH THIS DEVELOPMENT.
- SPECIAL AGREEMENTS ARE NOT PROPOSED WITH THIS PLAN.
- A DEVELOPMENT SCHEDULE HAS NOT BEEN DETERMINED AT THIS TIME.
- SEE SHEET 5 FOR ARCHITECTURAL SKETCHES.
- A TRAIL IS NOT REQUIRED FOR THIS PROJECT PER THE FAIRFAX COUNTY TRAILS PLAN.
- PARCEL "A" WILL BE CONVEYED TO A HOMEOWNERS ASSOCIATION FOR OWNERSHIP AND MAINTENANCE.
- MINOR MODIFICATIONS TO THE BUILDING FOOTPRINTS, LOT AREAS, DRAINAGE, UTILITY LAYOUT, AND LIMITS OF CLEARING AND BRUSHING MAY OCCUR WITH THE FINAL ENGINEERING DESIGN, IN SUBSTANTIAL CONFORMANCE WITH THE CDP/POP, PROVIDED SUCH ARE IN ACCORDANCE WITH THE MINOR MODIFICATIONS PROVISION IN SECTION 16-403 OF THE ZONING ORDINANCE.



VICINITY MAP
SCALE: 1" = 2000'

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DEVELOPER
EASTWOOD PROPERTIES
3050 CHAM BRIDGE ROAD
SUITE 103
FAIRFAX, VIRGINIA 22030
(703) 363-8111

TABLE OF CONTENTS

- COVER SHEET
- CONCEPTUAL/FINAL DEVELOPMENT PLAN
- CONCEPTUAL LANDSCAPE PLAN
- CROSS-SECTION
- ARCHITECTURAL ELEVATIONS
- EXISTING VEGETATION MAP
- PRELIMINARY OUTFALL ANALYSIS & OFFSITE DRAINAGE DIVIDE MAP
- OFFSITE DRAINAGE DIVIDE MAP & OFFSITE CROSS-SECTION ANALYSIS

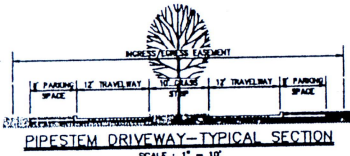
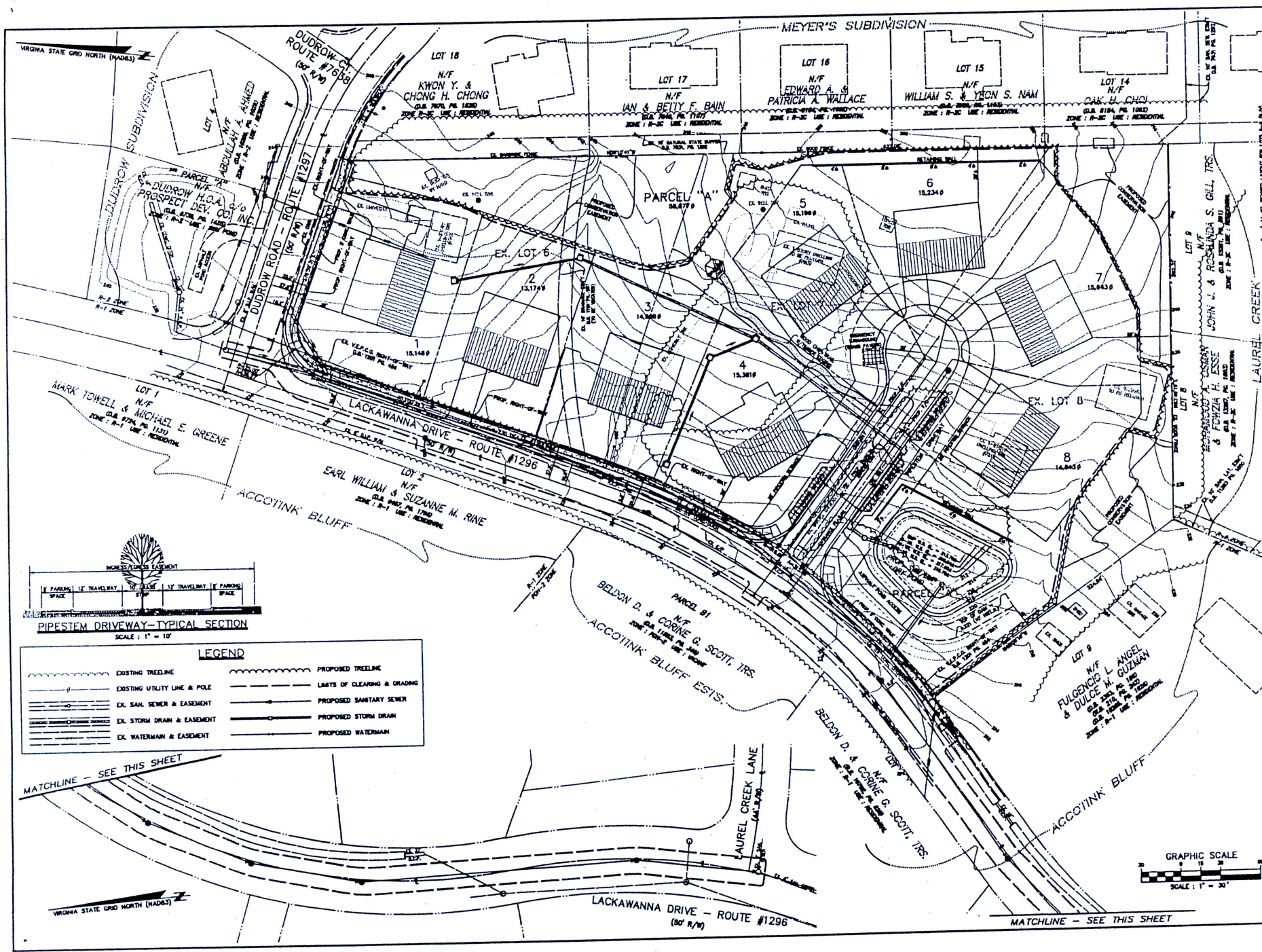
CPJ Charles P. Johnson & Associates, Inc.
PLANNING ENGINEER LANDSCAPE ARCHITECT SURVEYOR
200 PINEHURST DRIVE SUITE 200 FARMINGTON, VIRGINIA 22045
TEL: (703) 363-8111 FAX: (703) 363-8111

DATE: JUNE 9, 2006
REVISED: AUGUST 2, 2006
AUGUST 10, 2006
OCTOBER 18, 2006
OCTOBER 31, 2006
FEBRUARY 20, 2007
FEBRUARY 28, 2007
MARCH 14, 2007

SHEET 1 OF 8

LACKAWANNA DRIVE

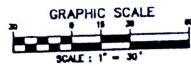
FILE # 06-503-201



LEGEND

	EXISTING TREELINE		PROPOSED TREELINE
	EXISTING UTILITY LINE & POLE		LIMITS OF CLEARING & GRADING
	EX. SAN. SEWER & EASEMENT		PROPOSED SANITARY SEWER
	EX. STORM DRAIN & EASEMENT		PROPOSED STORM DRAIN
	EX. WATERMAIN & EASEMENT		PROPOSED WATERMAIN

MATCHLINE - SEE THIS SHEET



MATCHLINE - SEE THIS SHEET

CONCEPTUAL / FINAL DEVELOPMENT PLAN

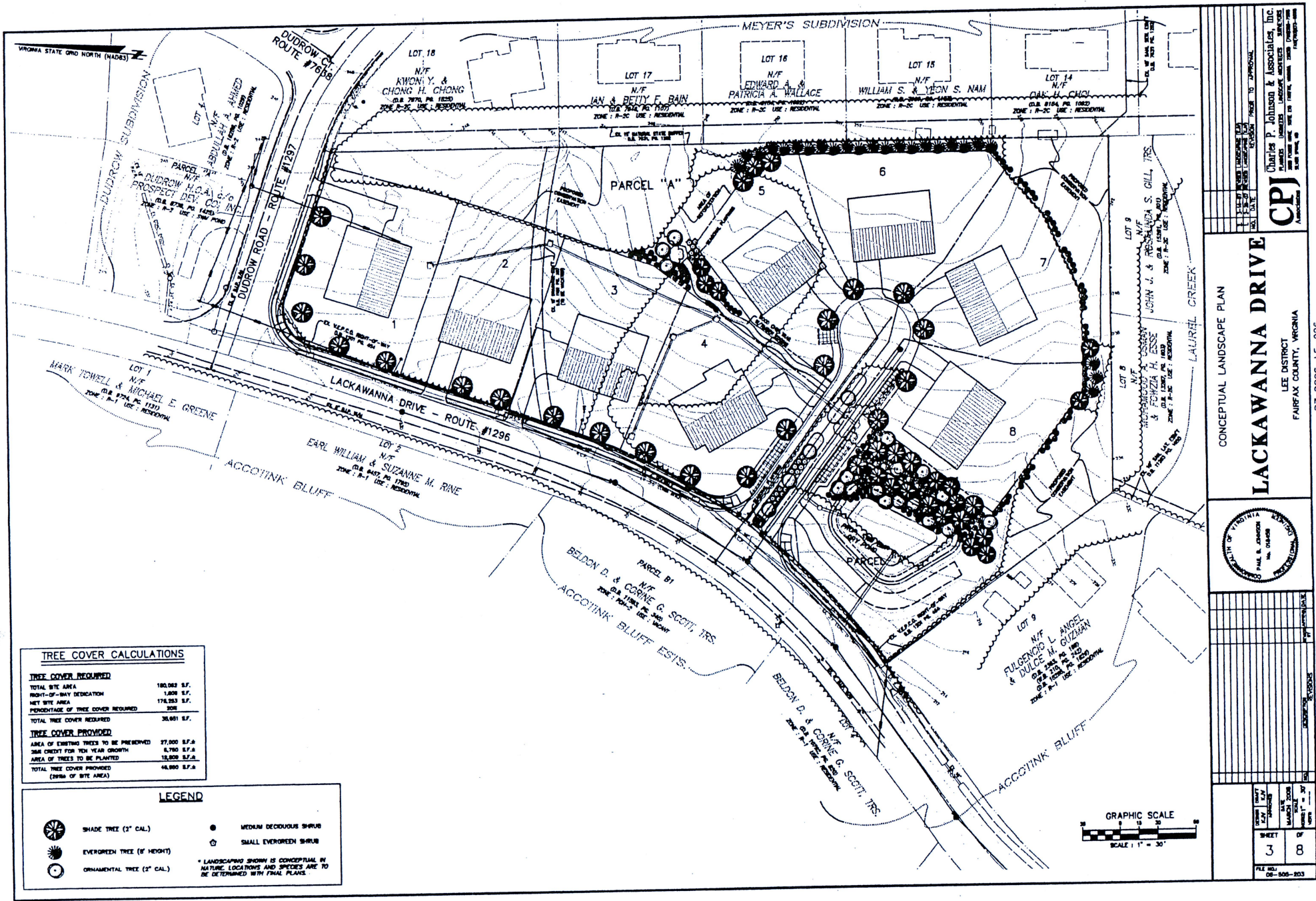
LACKAWANNA DRIVE

LEE DISTRICT
FAIRFAX COUNTY, VIRGINIA

Charles P. Johnson & Associates, Inc.
CPJ
ARCHITECTS

DESIGN BY: CPJ
DATE: MARCH 2008
SHEET: 2 OF 8
FILE NO: 08-306-202

APPROVED FOR: [Signature]
DATE: [Date]
BY: [Name]

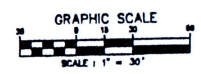


TREE COVER CALCULATIONS

TREE COVER REQUIRED	
TOTAL SITE AREA	180,083 S.F.
RIGHT-OF-WAY DEDICATION	1,800 S.F.
NET SITE AREA	178,283 S.F.
PERCENTAGE OF TREE COVER REQUIRED	30%
TOTAL TREE COVER REQUIRED	53,485 S.F.
TREE COVER PROVIDED	
AREA OF EXISTING TREES TO BE PRESERVED	57,000 S.F.
25% CREDIT FOR 10 YEAR GROWTH	4,750 S.F.
AREA OF TREES TO BE PLANTED	15,800 S.F.
TOTAL TREE COVER PROVIDED	46,800 S.F.
(26% OF SITE AREA)	

LEGEND

- | | | | |
|--|----------------------------|--|------------------------|
| | SHADE TREE (1" CAL.) | | MEDIUM DECIDUOUS SHRUB |
| | EVERGREEN TREE (8' HEIGHT) | | SMALL EVERGREEN SHRUB |
| | ORNAMENTAL TREE (2" CAL.) | | |
- * LANDSCAPING SHOWN IS CONCEPTUAL IN NATURE. LOCATIONS AND SPECIES ARE TO BE DETERMINED WITH FINAL PLANS.



CONCEPTUAL LANDSCAPE PLAN

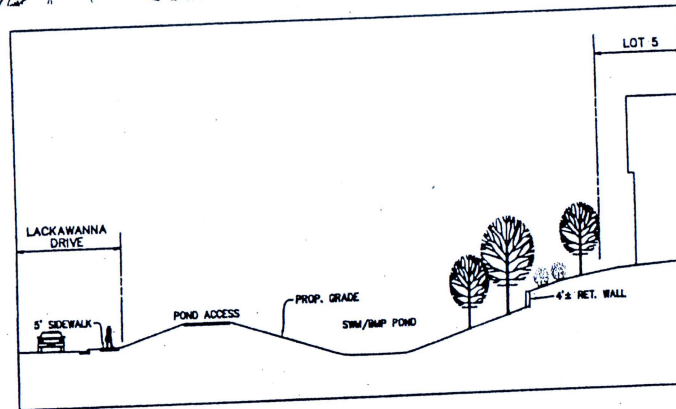
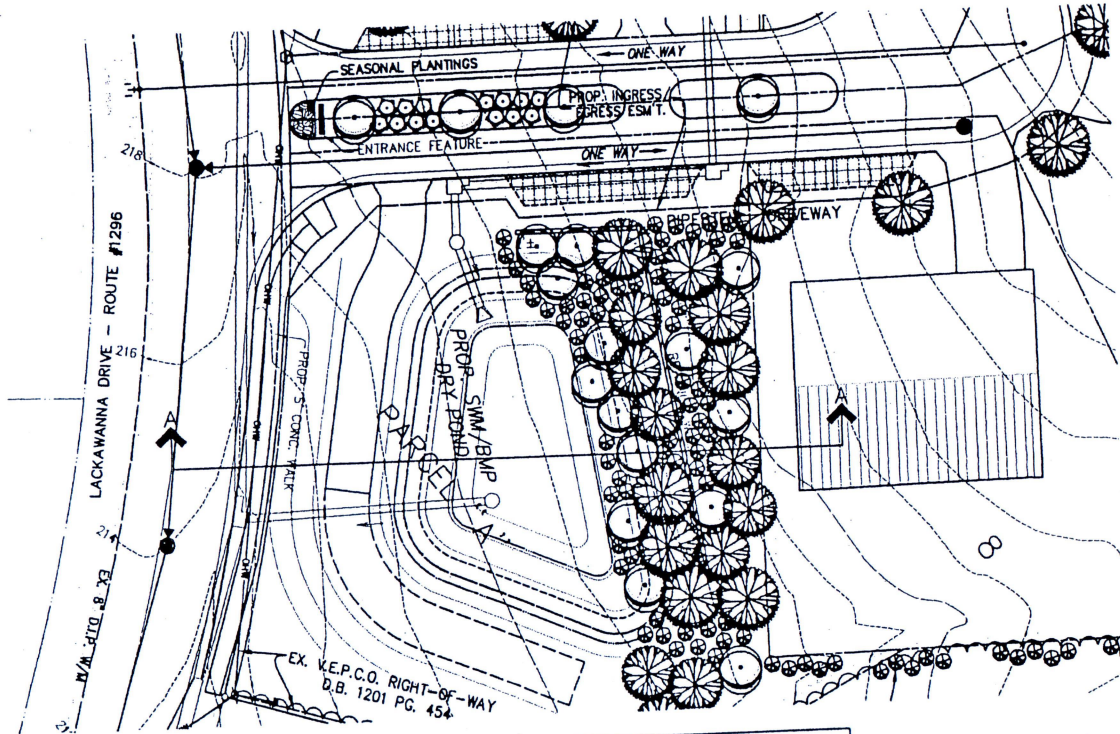
LACKAWANNA DRIVE



CPJ
Charles P. Johnson & Associates, Inc.
PLANNERS LANDSCAPE ARCHITECTS SURVEYORS
1125 N. 1ST ST. SUITE 100 FAYETTEVILLE, NC 28404
TEL: 919.487.1125 FAX: 919.487.1126
WWW.CPJ-VA.COM

LEE DISTRICT
FAIRFAX COUNTY, VIRGINIA

RZ 2006-LE-026



SECTION A-A
SCALE: 1" = 15'

CROSS-SECTION

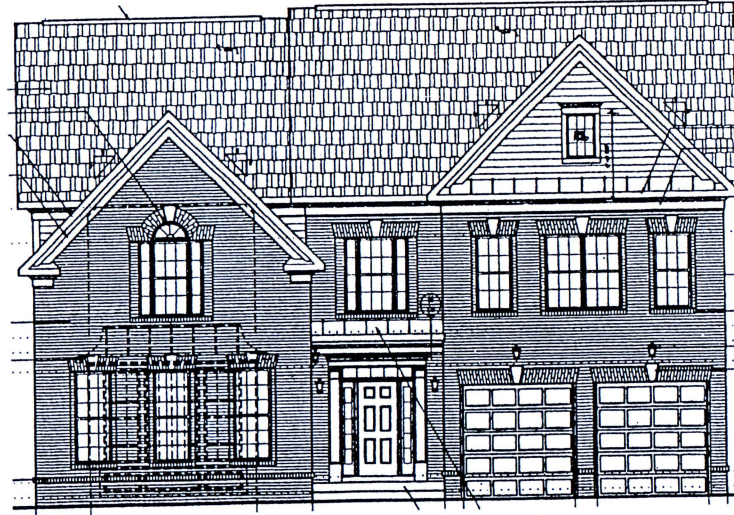
LACKAWANNA DRIVE

LEE DISTRICT
FAIRFAX COUNTY, VIRGINIA



DESIGN BY P. JOHNSON	DATE FEB. 2007
CHECKED BY P. JOHNSON	DATE FEB. 2007
SHEET 4	

CPJ
Charles P. Johnson & Associates, Inc.
11111 WOODBINE DRIVE, SUITE 100
FAIRFAX, VIRGINIA 22030
(703) 261-1111
FAX (703) 261-1112



NO.	DATE	REVISION PRIOR TO APPROVAL
-----	------	----------------------------

CPJ

Associates

Charles P. Johnson & Associates, Inc.

PLANNERS ENGINEERS LANDSCAPE ARCHITECTS SURVEYORS

300 PAVEN CRUIE BLVD STE 100 FARMINGDALE, NEW YORK 11735-1000

FAX: (516) 777-1000

RZ 2006-LE-026

STORMWATER MANAGEMENT AND BMP NARRATIVE

The Site consists of approximately 4.13 acres on which eight single-family detached lots are proposed, along with the related private street and utilities. The Site is mostly wooded with mature trees. The slopes vary, and range from 5% to 30%. There are three single-family dwellings and driveways on the property.

The major portion of the site (approximately 3.843 acres) sheet flows from east to west into an existing roadside concrete ditch along Lackawanna Drive. And a small portion of the site (approximately 0.29 acres) sheet flows to the east towards Lot 9.

PRE-DEVELOPMENT FLOWS

A1: AREA = 3.843 AC.; C = 0.35
Q₁ = 0.35 X 3.843 X 5.45 = 7.33 CFS.
Q₂ = 0.35 X 3.843 X 7.27 = 9.78 CFS.

A2: AREA = 0.291 AC.; C = 0.20
Q₁ = 0.20 X 0.291 X 5.45 = 0.31 CFS.
Q₂ = 0.20 X 0.291 X 7.27 = 0.42 CFS.

After the development, the Site will maintain the same drainage pattern. The area that flows onto adjacent Lot 9 will be reduced to 0.1 acres (see this sheet for computations). Most of the Site's developed runoff is to be collected in a closed storm sewer system and taken to a proposed onsite dry BMP/SWM facility at the southeast corner of the property. Approximately 3.03 acres of developed onsite area and 0.54 acres of the offsite area are to be captured by the pond. Approximately 1.1 acres of off-site area will be uncontrolled. The pond will then discharge into a closed storm sewer system and then into an existing concrete ditch along Lackawanna Drive.

POST-DEVELOPMENT FLOWS

A1: AREA = 1.0 AC.; C = 0.42
Q₁ = 0.42 X 1.0 X 5.45 = 2.29 CFS.
Q₂ = 0.42 X 1.0 X 7.27 = 3.06 CFS.

A2: AREA = 0.10 AC.; C = 0.20
Q₁ = 0.10 X 0.20 X 5.45 = 0.11 CFS.
Q₂ = 0.10 X 0.20 X 7.27 = 0.15 CFS.

A3 (ON SITE TO POND): AREA = 3.03 AC.; C = 0.40
Q₁ = 0.40 X 3.03 X 5.45 = 6.61 CFS.
Q₂ = 0.40 X 3.03 X 7.27 = 8.81 CFS.

THE DEVELOPMENT OF THE SITE WILL RESULT IN REDUCED FLOW OFFSITE FROM A1 AND A2. AS WILL SHEET FLOW TO THE PROPOSED CLOSED CONDUIT STORM SEWER SYSTEM WHICH IS PART OF THE OUTFALL FROM THE ONSITE POND. AS WILL DRAIN TO THE PROPOSED ONSITE SWM/POND.

Per PFM 5-020.4, detention method has been used to provide proportional improvement and no adverse impact to the downstream drainage system. Therefore, the subject pond will reduce the post development peak flows from the site for a "good forested" condition. SCS hydrology has been used to route the pond. Additionally, the pond will detain the 1-year onsite storm for a minimum of 24 hours. This will satisfy the PFM adequate outfall requirements.

There is an existing dry detention pond located in Dudson Subdivision just upstream of the subject site. This existing offsite pond will drain into a proposed storm sewer system running along the east side of Lackawanna Drive. The outflow from this offsite existing pond, 10.27 cfs, added to the total outflow from the storm sewer system, approximately 18.49 cfs and the 10-year discharge from the proposed onsite pond, 9 cfs, at Structure #2 combine to create a maximum total flow through the pipe of 38.2 cfs. Based on this, a 30 inch pipe running at a slope of 1.0% has a capacity of 41 cfs and is adequate to handle the flows entering the system and ultimately draining into the existing roadside ditch.

The existing concrete ditch has been analyzed for the 10-year flow of 35.76 cfs. Considering this flow volume, the depth of flow through the existing concrete channel will be approximately 0.54 feet deep, which is less than the channel's overall depth of 1.25 feet. Therefore, the existing concrete ditch is adequate to handle the flow.

The existing concrete ditch drains into an existing offsite closed conduit storm sewer system of existing structure #30, located along the east side of Lackawanna Drive, that has been analyzed for the 10-year storm. The existing storm sewer has been analyzed by using Manning's Equation to find the pipe capacity and comparing this capacity to the approximate flows entering the existing storm sewer system. As demonstrated in the computations shown below, the existing pipe sizes of the offsite closed conduit storm sewer system are adequate to handle the 10-year flows after development of the site.

A closed storm sewer system described above outfalls into an existing 18" channel at the end of Lackawanna Drive. The existing riprap channel has been analyzed at Section C-C for the 10-year storm (See cross-section computations and map on Sheet 5). The riprap channel has adequate capacity to convey the 10-year flow through this section.

The existing riprap channel flows to the southwest and discharges into a natural channel. The natural channel outfalls into Accolite Creek where the subject site is located. The natural channel has been analyzed for the 10-year storm. The subject site is located through the natural channel and has been analyzed for the 2 year storm. See outfall analysis and map on Sheet 5.

The subject site area at Point Z is less than 1.0% of the total watershed drainage to Accolite Creek. The existing outfall has been analyzed up to Point Z (see Sheet 5 for outfall map) to satisfy zoning requirements.

OFFSITE STORM SEWER SYSTEM ANALYSIS					
SECTION	PIPE SIZE (IN)	PIPE SLOPE (%)	PIPE CAPACITY (CFS)	APPROXIMATE FLOW THROUGH PIPE (CFS)	
EX-10	24"	15.32	121.05	44.19	
EX-11	24"	7.26	61.65	44.75	
EX-12	36"	8.53	96.00	45.35	
EX-13	36"	7.78	114.00	45.13	
EX-14	36"	2.94	105.00	47.89	
EX-15	36"	2.92	103.00	46.33	

NOTE: ALL PIPE SIZES ARE APPROXIMATE. PIPE SIZES FOR EXISTING STORM SEWER SYSTEMS ARE BASED ON RECORD DRAWINGS. PIPE SIZES FOR PROPOSED STORM SEWER SYSTEMS ARE BASED ON COMPUTATIONS.

STORMWATER MANAGEMENT AND BMP SUMMARY

Stormwater Management is provided via an onsite dry pond. The subject pond will reduce the post development peak flows from the site and offsite for the 2-year and 10-year storms below the relative peak flows from the site in a "good forested" condition. Additionally, the pond will detain the 1-year onsite storm for a minimum of 24-hours.

Total Site Area = 4.133 acres
Onsite Area to Pond = 3.03 acres
Offsite Area to Pond = 0.543 acres
Onsite Uncontrolled Area = 1.10 acres
2 Year Reduction = 20%
10 Year Allowable Release Rate = 2.7 cfs
2 Year Routing = 0.5 cfs
2 Year Volume = 12,200 cf
10 Year Reduction = 5%
10 Year Allowable Release Rate = 10.8 cfs
10 Year Routing = 8 cfs
10 Year Volume = 17,700 cf

BMPs will be provided via this dry detention pond, and onsite qualified undisturbed open space. The total phosphorus removed for the site is approximately 40.25%, which is greater than the required 40%. Therefore, the BMP requirements have been satisfied.

BMP COMPUTATIONS

Part 1: List all of the Subareas and "C" Factors used in the BMP Computations

Subarea Description and Location	(1)	(2)	(3)	Acres
A1 - Forest to Road				0.10
A2 - Forest to Road				0.10
A3 - Forest to Road				0.10
A4 - Forest to Road				0.10
A5 - Forest to Road				0.10
A6 - Forest to Road				0.10
A7 - Forest to Road				0.10
A8 - Forest to Road				0.10
A9 - Forest to Road				0.10
A10 - Forest to Road				0.10

Part 2: Compute the Weighted Average "C" Factor for the Site

(1) Area of the site	(2) "C" Factor	(3) Product
A1 - Forest to Road	0.35	0.035
A2 - Forest to Road	0.35	0.035
A3 - Forest to Road	0.35	0.035
A4 - Forest to Road	0.35	0.035
A5 - Forest to Road	0.35	0.035
A6 - Forest to Road	0.35	0.035
A7 - Forest to Road	0.35	0.035
A8 - Forest to Road	0.35	0.035
A9 - Forest to Road	0.35	0.035
A10 - Forest to Road	0.35	0.035
(10) Total		0.35

(10) Total = 0.35

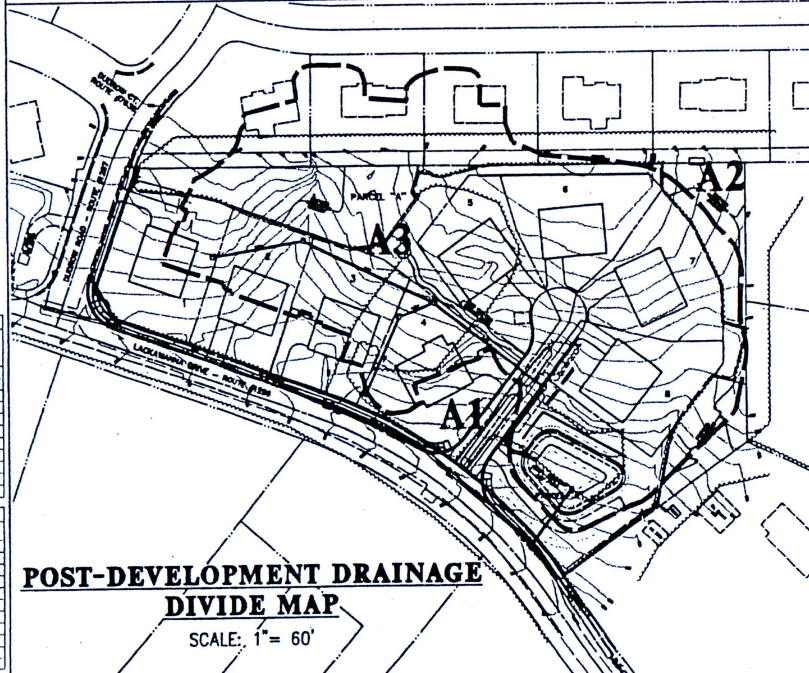
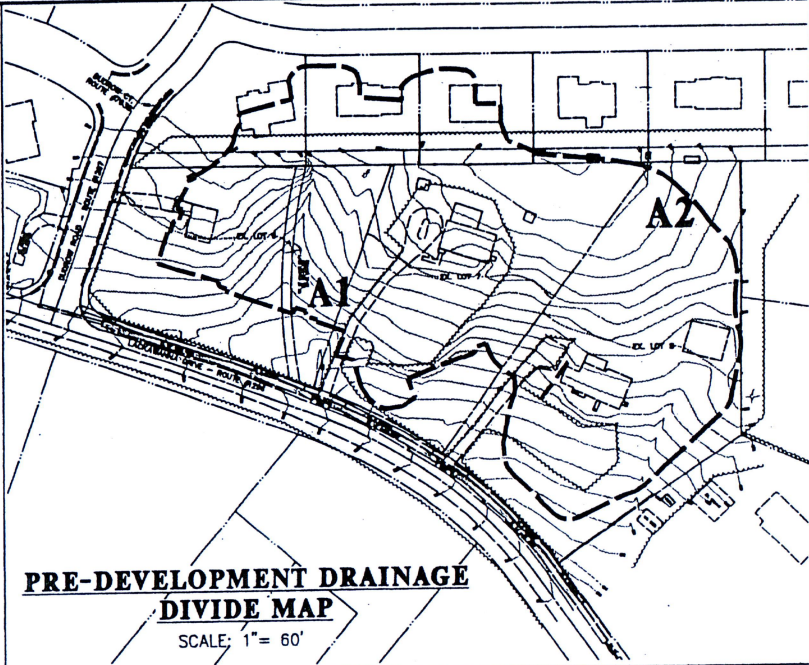
Part 3: Compute the Total Phosphorus Removed by the Site

Subarea	BMP	Removed	Area	"C" Factor	Product
Description	Type	ER (%)	(1)	(2)	(3)
A1 - Forest to Road			0.10	0.35	0.035
A2 - Forest to Road			0.10	0.35	0.035
A3 - Forest to Road			0.10	0.35	0.035
A4 - Forest to Road			0.10	0.35	0.035
A5 - Forest to Road			0.10	0.35	0.035
A6 - Forest to Road			0.10	0.35	0.035
A7 - Forest to Road			0.10	0.35	0.035
A8 - Forest to Road			0.10	0.35	0.035
A9 - Forest to Road			0.10	0.35	0.035
A10 - Forest to Road			0.10	0.35	0.035
(10) Total					0.35

BMP STORAGE = 2,800 CF

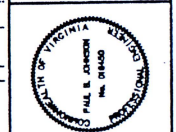
10 YEAR POST-DEVELOPMENT OFFSITE STORM SEWER FLOW COMPUTATIONS									
10-YR OUTFLOW FROM EXISTING POND (CFS)	10-YR OUTFLOW FROM PROPOSED POND (CFS)	10-YR OUTFLOW FROM EXISTING POND (CFS)	10-YR OUTFLOW FROM PROPOSED POND (CFS)	OVERLAP FLOW AREA (AC)	C	I	OVERLAP FLOW (CFS)	TOTAL 10-YR FLOW (CFS)	
10.27	9.00	1.78	0.48	7.27	0.48	18.49	36.19		
10.27	9.00	1.78	0.48	7.27	0.48	18.49	36.19		
10.27	9.00	1.78	0.48	7.27	0.48	18.49	36.19		
10.27	9.00	1.78	0.48	7.27	0.48	18.49	36.19		
10.27	9.00	1.78	0.48	7.27	0.48	18.49	36.19		
10.27	9.00	1.78	0.48	7.27	0.48	18.49	36.19		
10.27	9.00	1.78	0.48	7.27	0.48	18.49	36.19		
10.27	9.00	1.78	0.48	7.27	0.48	18.49	36.19		
10.27	9.00	1.78	0.48	7.27	0.48	18.49	36.19		
10.27	9.00	1.78	0.48	7.27	0.48	18.49	36.19		

2 YEAR POST-DEVELOPMENT OFFSITE STORM SEWER FLOW COMPUTATIONS									
2-YR OUTFLOW FROM EXISTING POND (CFS)	2-YR OUTFLOW FROM PROPOSED POND (CFS)	2-YR OUTFLOW FROM EXISTING POND (CFS)	2-YR OUTFLOW FROM PROPOSED POND (CFS)	OVERLAP FLOW AREA (AC)	C	I	OVERLAP FLOW (CFS)	TOTAL 2-YR FLOW (CFS)	
5.13	4.50	0.90	0.24	6.84	0.24	12.36	24.36		
5.13	4.50	0.90	0.24	6.84	0.24	12.36	24.36		
5.13	4.50	0.90	0.24	6.84	0.24	12.36	24.36		
5.13	4.50	0.90	0.24	6.84	0.24	12.36	24.36		
5.13	4.50	0.90	0.24	6.84	0.24	12.36	24.36		
5.13	4.50	0.90	0.24	6.84	0.24	12.36	24.36		
5.13	4.50	0.90	0.24	6.84	0.24	12.36	24.36		
5.13	4.50	0.90	0.24	6.84	0.24	12.36	24.36		
5.13	4.50	0.90	0.24	6.84	0.24	12.36	24.36		
5.13	4.50	0.90	0.24	6.84	0.24	12.36	24.36		

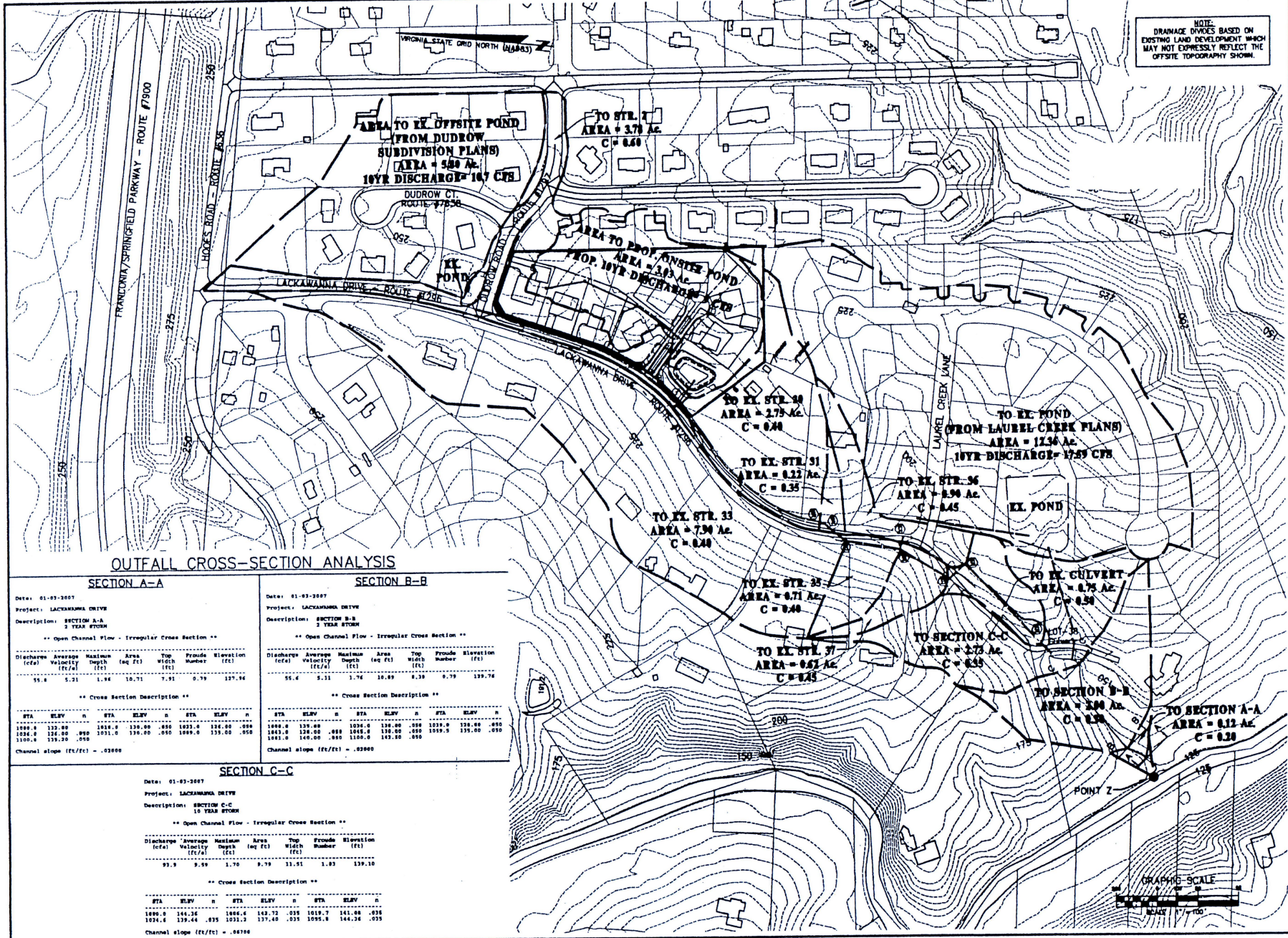


Charles P. Johnson & Associates, Inc.
PLANNERS ENGINEERS ARCHITECTS SURVEYORS
1000 POND DRIVE, SUITE 100, FARMINGTON, CT 06030-1000
TEL: 860-633-1000 FAX: 860-633-1001
WWW.CPJASOCIATES.COM

PRELIMINARY OUTFALL ANALYSIS
& ONSITE DRAINAGE DIVIDE MAP
LACKAWANNA DRIVE
LEE DISTRICT
FAIRFAX COUNTY, VIRGINIA



DATE: 10/1/07
BY: Paul E. Johnson
CHECKED BY: [Signature]
FILE NO.: 06-505-257



OFFSITE DRAINAGE DIVIDE MAP &
OFFSITE CROSS-SECTION ANALYSIS

LACKAWANNA DRIVE

LEE DISTRICT
FAIRFAX COUNTY, VIRGINIA

Charles P. Johnson & Associates, Inc.
PLANNERS ENGINEERS ARCHITECTS
1000 PINE HILL RD. SUITE 200
FAIRFAX, VA 22031
TEL: 703/261-1000
FAX: 703/261-1001
WWW.CPJAS.COM

DATE: 01-03-2007
PROJECT: LACKAWANNA DRIVE
SHEET: 08-005-208

RZ 2006-LE-026



County of Fairfax, Virginia

MEMORANDUM**DATE:** December 18, 2012

TO: Barbara Berlin, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Angela Kadar Rodeheaver, Chief
Site Analysis Section
Department of Transportation

FILE: 3-4 (RZ 2012-LE-021)

SUBJECT: Transportation Impact

REFERENCE: RZ 2012-LE-021; Clifford Lindsay
Traffic Zone: 1508
Land Identification Map: 90-3 ((03)) 6, 7, 8

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application. These comments are based on the plat dated April 2006.

The applicant proposes to rezone from the PDH-2 district back to the R-1 district.

The Board of Supervisors previously approved RZ 2006-LE-026 to rezone 4.13 acres from the R-1 district to the PDH-2 district. Following the zoning approval the developer abandoned the approved project.

This department has reviewed the subject application and does not object to its approval.

AKR/ak cc: Michele Brickner, Director, Design Review, DPW & ES

FAIRFAX COUNTY ZONING ORDINANCE

PART 1 3-100 R-1 RESIDENTIAL DISTRICT, ONE DWELLING UNIT/ACRE**3-101 Purpose and Intent**

The R-1 District is established to provide for single family detached dwellings; to allow other selected uses which are compatible with the low density residential character of the district; and otherwise to implement the stated purpose and intent of this Ordinance.

3-102 Permitted Uses

1. Accessory uses and home occupations as permitted by Article 10.
2. Agriculture, as defined in Article 20.
3. Dwellings, single family detached.
4. Public uses.

3-103 Special Permit Uses

For specific Group uses, regulations and standards, refer to Article 8.

1. Group 2 - Interment Uses.
2. Group 3 - Institutional Uses.
3. Group 4 - Community Uses.
4. Group 5 - Commercial Recreation Uses, limited to:
 - A. Commercial swimming pools, tennis courts and similar courts
5. Group 6 - Outdoor Recreation Uses.
6. Group 7 - Older Structures.
7. Group 8 - Temporary Uses, limited to:
 - A. Carnival, circus, festival, fair, horse show, dog show, steeplechase, music festival, turkey shoot, sale of Christmas trees or other seasonal commodities and other similar activities
 - B. Construction material yards accessory to a construction project
 - C. Contractors' offices and equipment sheds to include trailers accessory and adjacent to an active construction project
 - D. Subdivision and apartment sales and rental offices

RESIDENTIAL DISTRICT REGULATIONS

- E. Temporary dwellings or mobile homes
 - F. Temporary farmers' markets
 - G. Temporary mobile and land based telecommunications testing facility
 - H. Temporary portable storage containers
8. Group 9 - Uses Requiring Special Regulation, limited to:
- A. Barbershops or beauty parlors as a home occupation
 - B. Home professional offices
 - C. Sawmilling of timber
 - D. Veterinary hospitals
 - E. Accessory dwelling units

3-104 Special Exception Uses

For specific Category uses, regulations and standards, refer to Article 9.

- 1. Category 1 - Light Public Utility Uses.
- 2. Category 2 - Heavy Public Utility Uses, limited to:
 - A. Electrical generating plants and facilities
 - B. Landfills
 - C. Water purification facilities
- 3. Category 3 - Quasi-Public Uses, limited to:
 - A. Alternate uses of public facilities
 - B. Child care centers and nursery schools
 - C. Churches, chapels, temples, synagogues and other such places of worship with a child care center, nursery school or private school of general or special education
 - D. Colleges, universities
 - E. Congregate living facilities
 - F. Cultural centers, museums and similar facilities

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- G. Dormitories, fraternity/sorority houses, rooming/boarding houses, or other residence halls
 - H. Independent living facilities
 - I. Medical care facilities
 - J. Private clubs and public benefit associations
 - K. Private schools of general education
 - L. Private schools of special education
 - M. Quasi-public parks, playgrounds, athletic fields and related facilities
4. Category 4 - Transportation Facilities.
5. Category 5 - Commercial and Industrial Uses of Special Impact, limited to:
- A. Baseball hitting and archery ranges, outdoor
 - B. Bed and breakfasts
 - C. Commercial off-street parking in Metro Station areas as a temporary use
 - D. Establishments for scientific research and development
 - E. Funeral chapels
 - F. Golf courses, country clubs
 - G. Golf driving ranges
 - H. Kennels, animal shelters
 - I. Marinas, docks and boating facilities, commercial
 - J. Miniature golf courses ancillary to golf driving ranges
 - K. Offices
 - L. Plant nurseries
 - M. Veterinary hospitals, but only ancillary to kennels
6. Category 6 – Miscellaneous Provisions Requiring Board of Supervisors’ Approval:
- Refer to Article 9, Special Exceptions, Part 6, Miscellaneous Provisions Requiring Board of Supervisors’ Approval, for provisions which may qualify or supplement these district regulations.

RESIDENTIAL DISTRICT REGULATIONS

3-105 Use Limitations

1. No sale of goods or products shall be permitted, except as accessory and incidental to a permitted, special permit or special exception use.
2. All uses shall comply with the performance standards set forth in Article 14.
3. Cluster subdivisions may be permitted in accordance with the provisions of Sect. 9-615.

3-106 Lot Size Requirements

1. Minimum district size for cluster subdivisions: 10 acres
2. Average lot area: No Requirement
3. Minimum lot area
 - A. Conventional subdivision lot: 36,000 sq. ft.
 - B. Cluster subdivision lot: 25,000 sq. ft.
4. Minimum lot width
 - A. Conventional subdivision lot:
 - (1) Interior lot - 150 feet
 - (2) Corner lot - 175 feet
 - B. Cluster subdivision lot:
 - (1) Interior lot - No Requirement
 - (2) Corner lot - 125 feet
5. The minimum district size requirement presented in Par. 1 above may be waived by the Board in accordance with the provisions of Sect. 9-610.

3-107 Bulk Regulations

1. Maximum building height
 - A. Single family dwellings: 35 feet
 - B. All other structures: 60 feet
2. Minimum yard requirements
 - A. Single family dwellings

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- (1) Conventional subdivision lot
 - (a) Front yard: 40 feet
 - (b) Side yard: 20 feet
 - (c) Rear yard: 25 feet
- (2) Cluster subdivision lot
 - (a) Front yard: 30 feet
 - (b) Side yard: 12 feet, but a total minimum of 40 feet
 - (c) Rear yard: 25 feet

B. All other structures

- (1) Front yard: Controlled by a 50° angle of bulk plane, but not less than 40 feet
- (2) Side yard: Controlled by a 45° angle of bulk plane, but not less than 20 feet
- (3) Rear yard: Controlled by a 45° angle of bulk plane, but not less than 25 feet

3. Maximum floor area ratio:

- A. 0.15 for uses other than residential or public
- B. 0.20 for public uses

3-108 Maximum Density

- 1. Conventional subdivisions: One (1) dwelling unit per acre.
- 2. Cluster subdivisions: 1.1 dwelling units per acre for cluster subdivisions approved by special exception and one (1) dwelling unit per acre for cluster subdivisions that are the result of a proffered rezoning from a district that allows a permitted maximum density of less than one (1) dwelling unit per acre.

3-109 Open Space

In subdivisions approved for cluster development, 30% of the gross area shall be open space.

3-110 Additional Regulations

RESIDENTIAL DISTRICT REGULATIONS

1. Refer to Article 2, General Regulations, for provisions which may qualify or supplement the regulations presented above, including the shape factor limitations contained in Sect. 2-401. The shape factor limitations may be modified by the Board in accordance with the provisions of Sect. 9-626.
2. Refer to Article 11 for off-street parking, loading and private street requirements.
3. Refer to Article 12 for regulations on signs.
4. Refer to Article 13 for landscaping and screening requirements.
5. Refer to Article 17 for uses and developments which are subject to site plan provisions.

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dBA: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A GENERALIZED DEVELOPMENT PLAN (GDP) is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A CONCEPTUAL DEVELOPMENT PLAN (CDP) is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A FINAL DEVELOPMENT PLAN (FDP) is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways. Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		